

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting and Public Hearing

September 11, 2013

Chairman Michele Camerota called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

I. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Commissioner Frank Aieta
Commissioner Carol Anest
Chairman Michele Camerota
Commissioner Michael Camillo
Commissioner Cathleen Hall
Commissioner Stanley Sobieski
Commissioner Audra Ekstrom-A
Commissioner Kenneth Leggo-A

Commissioners Absent

Staff Present

Craig Minor, Town Planner

Commissioner Leggo was seated for the vacant position on the Commission.

II. APPROVAL OF AGENDA

Chairman Camerota: Craig, any changes to the agenda?

Craig Minor: No.

III. PUBLIC HEARING

A. Petition 44-13: Special Exception (Section 3.2.5: Convalescent or Nursing Home) at 2125 Main Street, Middlewoods of Newington, owner/applicant, David Lawler, 580 Long Hill Avenue, Shelton CT, contact.

Chairman Camerota: Is the petitioner here? If you would come forward? Actually, you can come up to the front so the audience will be able to see your presentation. Thank you.

Jim Swift: Good evening, my name is Jim Swift, I'm a professional engineer and licensed landscape architect in the State of Connecticut. With me tonight are Tim Eagles from EDM Architects, who will speak very briefly, and Mr. Lawler from United Methodist Homes and Chuck Tobin from the construction company, CD Floyd will answer any questions.

Chairman Camerota: Mr. Swift, if you would just state your address for the record?

Jim Swift: 102 Village Drive, Shelton, Connecticut.

Chairman Camerota: Thank you.

Jim Swift: So we have an application for a site plan approval and a special permit, this is for an assisted living facility. That facility is located on the corner of Louis Street and Main Street as you can see here in this photograph. This is a good drawing to point out that the addition that we are proposing is located inside the courtyard here, and that is basically the extent of construction for what we are going to be proposing here. You can see from this aerial photograph our neighbors are commercial across the street, some single family residential on Main Street, and the higher density residential to our west.

The parcel consists of seven acres. It's an existing facility of 54 units. We are proposing six additional assisted living units. Some are actually in the interior building which Tim will describe in a bit, four are located in the addition. As I said previously, the addition is limited to the courtyard area, so there are no proposed additions anywhere outside of that courtyard area. So all the existing drives are to remain, we are not proposing any changes to any pavements, or anything of that nature outside of the building. We have 33 existing spaces, we require I believe 30 spaces under the regulations so we have 3 extra spaces according to the regulations. For the record, we have 10.9 percent coverage which is well under the 25 percent allowed by the regulations.

We have a drainage plan to conform to the town's storm water drainage manual, I'll go over briefly the city engineer's letter in a second, but in a nutshell, basically we are handling all of the storm water generated by the new addition within the courtyard itself. When the original facility was built, it was not particularly long ago, there's extensive drainage facilities to take care of the existing roof, the existing pavement, there's a storm water retention pond and a water quality floor basin in that, that already exists and is functioning now adjacent to a large wetlands. The existing system is fairly up to date, and I take the Town Engineer's comments, not bringing that up to concur with that, and as I said all of the new drainage provisions that we will be putting in will be inside the courtyard and it consists basically of retention, putting some gathers in there to take the roof drainage and performed a calculation to show that that conforms to the town regulations.

All of the other utilities are going to be provided within the building so the extensions, the sanitary sewer, the water, the electrical, all of those will come from inside the building, so again, to reiterate, there is no construction taking place outside of the existing building. We have one exception to that, clearly access is an issue. We have to get an addition from outside the courtyard to inside the courtyard. We're going to do that by staging a laydown in the back area of the site in this location. We do have identified a stockpiles area that will be protected by hay bales and things that you would find for storm water control, and all of that is located, again for the record, outside of the upland review area of the wetlands, and we did cover that with staff just to confirm that we weren't incurring any additional requirements that we go to the Inland Wetlands or Conservation Commission.

The Town Engineer's letter is one, it's a very simple project, all of the things that he has mentioned in his letter are things to be provided that have no material change to the design function of what we have provide here. He's asking for additional information, and for the record, we agreed to concur with all of his requests.

With that, I'll let Tim go through the architecture.

Tim Eagles: My name is Tim Eagles and I'm with EDM in Unionville Connecticut. As Jim has stated, the addition that we are looking at is entirely within the perimeter of the existing building. It's a new in-fill to the courtyard, and basically what we're doing is, adding six additional units, two will be an in-fill on the corners here, with our current activity spaces for the residents, and those will be in-filled with new units and the creation in the center in the courtyard area, new activity spaces, new therapy room for exercise, a new nurse's office suite, and then the activity space in the center and then four additional units that we pick up for a total of six units within the building.

In keeping with keeping everything within the existing building we're also matching the height of the existing building, so from the exterior, when all is said and done, it's not going to look any different than what it currently looks like from the exterior unless you can get up and look down in from Jim's earlier shot, so the addition will be well below the mechanical canopy and well below the existing ridge line of the building.

Jim Swift: That really concludes our presentation, and just for the record, we believe we have conformed with all of the requirements of the special permit, we do comply with all applicable zoning regulations, there are no requests for variances or anything of that sort, and so we hope that Commission will consider the application. If you have any questions, we'd be glad to answer them.

Chairman Camerota: Thank you. Craig, any comments?

Craig Minor: No.

Chairman Camerota: Commissioner comments or questions? This is a public hearing, so I will call on the public. You can stay right here if you want. Is there anyone from the public wishing to speak in favor of this petition? Is there anyone from the public wishing to speak against this petition? You can come forward.

Laurie Dabrowski, 2121 Main Street, Newington: I'm not speaking for or against this, I just have questions about this. Is this changing from assisted living to a convalescent home now?

David Lawler: No, this will remain, we're not changing from what it is now.

Laurie Dabrowski: Now my biggest problem with this building is their trash. They have a lot of trash and it is picked up between five and five thirty in the morning. They drop the dumpsters and I have called and complained several times. I live right next to it, it's loud. That's my first complaint. They say they have 33 parking spaces, but when this was originally approved, that driveway that goes along the property line, it was never approved for parking by my understanding, and about three or four years into this building, somebody painted parking lines, so I would like to know if it was approved to have parking there, or did they just add it, because there was to be no parking along the property line on that driveway.

Jim Swift: With the Chair's permission?

Chairman Camerota: If you could just wait until the end?

Laurie Dabrowski: And then when this building was proposed, there was supposed to be a large berm separating our property from that building. It was never built, even though I complained several times. So now that you are adding more people and more cars, can you put the berm up there that was promised in the first place? There are emergency vehicles that go to that building almost every day, like an ambulance because people get sick, and you have ambulances going one or two times a day, is this going to increase the traffic right there, because it's pretty dangerous right now. Those are just my concerns, I'm not against them adding this. I just want to make sure they address what happened the first time, because to my recollection, there was no parking along our property line.

Chairman Camerota: Thank you. Do you want to rebut?

Jim Swift: Sure, just really informational. At the time that these parking spaces were added, that was done after the original approval, and what the operators of the facility did was that they met with the Fire Marshal just to make sure that stripping those spaces would not have any negative impact on fire lanes and things of that sort. So it did go through the town in a form, but I understand that maybe it should have been more thorough, but the Fire Marshal was fine.

As far as the berm, I can't really speak to that, but I'm sure if in researching the original approval if there was anything that was not done, that should be done, or if there is any landscaping that we can add in, that would be appropriate, we have no objection to that being a condition of approval of this application, and we'd be glad to meet with staff. I assume that the Commission would like to close the hearing tonight, but I assume that staff can accept additional information. We'd be, to make a long story short, we'd be, we're open to accepting conditions.

Chairman Camerota: Craig, do you have anything that you want to.....

Craig Minor: The parking spaces that were, I do have an approved site plan on file, it may not have the Chairman's signature, perhaps the Fire Marshal approved it, not TPZ, but these are the plans that we do have on file.

Chairman Camerota: Any Commissioner comments based on the questions or public comments?

Commissioner Aieta: Can you show us the area where the dumpsters are currently located.

Jim Swift: Right here.

Commissioner Aieta: Is there a possibility of moving that to the west side of the property?

Jim Swift: The upland review area, the line is in this location right here, we could move it to that extent without incurring a requirement to apply to Inland Wetlands, so we could move it that far. It's probably about thirty feet.

Commissioner Aieta: That's not a lot.

Jim Swift: What we may be able to do is modify the time of the trash pickup.

Commissioner Aieta: You could take a look at that and probably moving it down further. You're saying that the wetlands lines are at that point?

Jim Swift: The Inland Wetlands are located on this side of the property, but if we perform any construction activities within this line, we would have to go back to the Inland Wetlands/Conservation Commission.

Commissioner Aieta: Thank you.

Chairman Camerota: I have a question. How many more employees are you going to have based on the addition?

Jim Swift: We're not anticipating any. We think existing staff is more than adequate to handle this facility and an extension to that question is, currently of the units that we have now, only two of the residents have cars.

Chairman Camerota: So most of the parking on the site is staff.

David Lawler: Or visitors.

Chairman Camerota: Any other comments, questions? Thank you.

Jim Swift: Thank you.

Chairman Camerota: What is the pleasure of the Commission on this petition? The consensus of the Commission is to leave it open.

B. Petition 48-13: Special Exception (Section 3.4.1: Golf Course) at 245 Hartford Road, New Britain, City of New Britain, applicant, State of Connecticut owner, Seth Feigenbaum, City of New Britain, CT, contact.

Chairman Camerota: Is the petitioner here? Good evening.

Tom Cody: Good evening, my name is Tom Cody. I'm an attorney with the firm of Robinson and Cole. Our office is located at 280 Trumbull Street, Hartford and I am here on behalf of Costco Wholesale Corporation. Just to clarify one item, the City of New Britain is the applicant for this application, and with me this evening is Joe Skelly. He's Assistant Corporation Counsel for the City of New Britain and he's available to answer any questions that you have. I will make most of the presentation initially, just due to my familiarity with this, but he is certainly here and available to answer any questions. Also here with me is John Mancini and Neal Kordes with BL Industries. They are both professional engineers and project engineers of record.

This application, this Special Exception relates to the proposed use of about eight acres of land in Newington for golf course purposes. The purpose of this golf course use is to add about eight acres of area to the existing Stanley Golf Course in New Britain. So, just for orientation, upon this graphic here, Route 9 is running top to bottom on this sheet, north to south, the Newington/New Britain town line is this red line, right here. So, to the west of this red line is the Stanley Golf Course. Twenty-seven holes on three different nine hole loops and what you have then is an area of land in Newington which is isolated from the rest of Newington by Route 9. So this property over here has no direct access to a public street, it has no improvements to it, no infrastructure, it's simply, it's there, it's vacant land, it's owned by the State of Connecticut, Department of Transportation has control of this property, and it has been a part of a swath of land on either side of state Route 9 which is not developed. It was acquired before the highway was built and it remains largely undeveloped on both sides of Route 9.

So what brings us here this evening is that in June the Connecticut General Assembly passed a piece of special legislation which authorized the Department of Transportation to convey fifteen and a half acres of land located right here, in Newington, to convey the ownership of that land from the DOT to the City of New Britain, and the purpose of that was for golf course purpose. The Governor signed this legislation in early July and we then followed with these two applications, both special exception and site plan.

So what the plan is, and what drives this forward and why I'm here and our team is here is that the City of New Britain is under contract with Costco Wholesale Corporation to sell fifteen acres of land to Costco. That land is generally up here, at the very northern end of the Stanley Golf Course, it's the property that adjoins the existing Target Department Store, so two holes that you can see here, the thirteenth and fourteenth hole of what is known as the Red Nine would be taken out of service by the sale of the land and the development of it by Costco. Instead what would happen is, the holes on the Red Nine would be reconfigured utilizing about eight acres of this fifteen acre parcel that would be conveyed from DOT to the

City. The fifteen acres of land, as I said, only about eight of it would be used for the golf course purpose, and the balance of it would be protected by a conservation easement and not developed or used for any active purpose.

The Newington Town Council considered this matter, they approved a resolution agreeing to the conveyance and as a part of that agreement the City of New Britain has agreed to let Newington residents play the Stanley Golf Course at in-city rates for play. So that agreement was made a part of the application materials that we submitted to you. So turning to the zoning issues presented, the land in Newington is located in your R-20 residential zoning district and within that district, golf course uses are allowed, subject to two principal conditions. The first is that the area of land must be at least ten acres. Now this area exceeds that because the parcel is fifteen acres in size. It also requires that no land actively used for recreation shall be located less than fifty feet from any property line, and we have also designed this so that the golf course use is at least fifty feet from the property line, so we believe it meets the basic criteria within your special exception requirements for the golf course us.

Now you also have criteria for special exceptions in 5.2.6, very quickly we believe that there is a clear need for it, in that New Britain has really no other options for the expansion or modification of their golf course use. This land is really the only vacant land that adjoins it of any size. It really will have no affect on any other land in Newington because it is really so isolated by Route 9. There's no physical connection here by roadway or by visibility between this golf course use and the balance of the Town of Newington. Traffic circulation is not really an issue because the only way that one would have access to this would be from Hartford Road in New Britain as a part of the Stanley Golf Course. Water and sewer capacity are clearly not issues, no structures are proposed, and there is really no other impact to Newington because of the separation of this property.

Let me turn for a minute to the actual site plan since this is a Special Exception and site plan. We also prepared, BL Companies prepared, they have prepared plans for the entire re-working of this Stanley Golf Course. What this plan does though, it focuses in, on the land in Newington so you can see what is proposed. The fifteen acres is roughly down to here, just off the bottom of the map, up to here and over. The active area of golf course use is right here. What you've got is a relocated twelfth hole, and then a new layout for the thirteenth hole located there. BL Companies met with your staff, both the engineering and planning staff, went over the drainage design for this, Chris Greenlaw had a number of suggestions which were incorporated into this. We received comments today from the engineering department. We believe that they are not material to this, he asks for some additional information, and we're happy to provide that. I'd like to mention that it's taken a lot of effort on our part and the City of New Britain's part to get to where we are today. It's been a complicated process but after all of this effort, New Britain has fully embraced this. The New Britain Parks and Recreation Commission has approved this new layout, and in fact I notice tonight one member of the Parks and Recreation Commission is even here tonight from New Britain, so perhaps he will speak in support of this, since that group recommended approval of this.

We would hope that the Commission, if there are any questions that you might have answered tonight, that you might see fit to potentially consider a decision tonight. It would be very helpful, time is of the essence. But with that, I'd like to close and ask if you have any questions. Our team is here ready to answer any, Joe Skelly is here as well.

Chairman Camerota: Thank you. Craig?

Craig Minor: The only concern that I had, and it was reflected in the Town Engineer's memo also, is the retaining wall around tee number thirteen, an eleven foot high retaining wall, and as you saw in my e-mail, I'm concerned about the split rail fence, that someone sitting on that fence and then falling backward, kind of causes some concern. Can you talk to that?

Tom Cody: Sure. We had hoped that we could work out an additional, either changing out the type of fence to make it a safer situation so it would be clear that no one would fall over the edge, I don't know that that's a likely risk, but we can certainly change the design of the fence to prevent that.

Craig Minor: Okay, and could you explain why the issue of timing? I'm saying that because with the meeting with staff, I'm not a golfer, but you explained how the development of sod is more complicated than the home owner generally is used to.

Tom Cody: Here's what is happening. On the golf course today, as I mentioned, there are areas now which are part of the thirteenth and fourteenth holes. What we plan to do is to literally strip the sod off of large portions of these two holes and relocate it to the new holes so we grade the new area out, and then literally lift the sod off of this and reuse the sod. It's a great way to keep the turf type the same, you're not starting with a different seed mix or a different sod, it's a great way to reuse the resource that is already there, and it will greatly speed up the ability for this changed layout of the golf course to become operational. That process though, as you might guess, can only happen in the warmer weather, and by the end of October we're going to run out of time to be able to finish that work. So the hope is that that work is going to begin sometime in the very near future so that that process of letting the sod get established and then winter over can be accomplished. So, that's the answer to Craig's question.

Chairman Camerota: Anything else, Craig?

Craig Minor: No.

Chairman Camerota: Commissioner comments, questions. Okay, we will hear from the public. You're welcome to stay here.
Is there anyone from the public wishing to speak in favor of this petition? Anyone from the public wishing to speak against this petition. Come forward sir.

Robert Plinas : Good evening ladies and gentlemen. My name is Robert Plinas, I live at 2162 Stanley Street, New Britain, Connecticut and I am a member of the Friends of A.W. Stanley Park, and I am also a New Britain Parks Commissioner, although I am not here to represent the City of New Britain or the Commission in any way. I'm speaking solely as a citizen of New Britain. Putting aside all of this technical jargon and the lawyer speak, I'm here to say New Britain, Costco has no business being on park land in the City of New Britain. They have used a loop hole in the wording of the deed which was in 1927 by Alex Stanley donating the land to the City of New Britain for public use only. Perpetually, forever. Nothing about commercial enterprise, Costco is a commercial enterprise. They have come in, they have a lot of money, they have lawyers who speak nicely and they are trying to take over fifteen point something acres of our land. Originally they wanted to destroy an additional twenty acres of forested land. The Friends of A.W. Stanley Park and the Citizens of New Britain put enough pressure on the Council and Costco, so they are here tonight with their Plan B, to take the land that is in Newington, which was acquired by the State as a buffer zone for drainage and so forth for Route 9. There is a very good possibility if they take this land there could be issues with drainage in the future. I just want to reiterate that they shouldn't be there, they have no good reason for being there except for their capital gain. They don't care about the City of New Britain, they don't care about Newington. They just want what they want. I know you folks have been thinking about this as a city and as a Commission for a long time, and I want you to think very, very hard about this before you make a decision tonight. They have no business being there. It's not going to affect the

people of Newington to give this land up, but it's going to affect the people of New Britain greatly to give this land up. They have no business being there, we don't want them there.

Chairman Camerota: Thank you. Is there anyone else from the public wishing to speak against this petition? Seeing none, you have time for rebuttal if you like.

Tom Cody: I'll give you a little bit more of the background to respond to Mr. Plinas' remarks. The process began in November of 2011. Costco Wholesale entered into a contract with the City of New Britain for the sale of New Britain land of fifteen acres. At that time the Board of Aldermen, and the Mayor approved the sale, and this question was raised because Mr. Plinas has raised this question repeatedly for well over two years, and so we have had this running debate for two years and the comments have been the same and my response would be the same as it has been on many, many occasions. The City agreed to sell the land. The land here is originally part of a large tract of land that was conveyed from the Stanley family, but contrary to what Mr. Plinas said tonight, the deed clearly said that the City could decide to sell portions of the land if three boards and commissions in the city found that the land was no longer needed for public purpose, and so the Board of Finance, the Parks Commission and the Board itself, the Board of Aldermen itself looked at this, and each one of them decided to approve the conveyance. So, all of the legalities were satisfied well over two years ago. So we disagree with the suggestion that New Britain does not want the project, in fact, New Britain very much wants the project. When Mayor O'Brien took over, took office, in early 2012 he went back and reiterated the city's support for this so although the original proposal started under the administration of Mayor Stewart, Mayor O'Brien then confirmed and reaffirmed the City of New Britain's absolute commitment and support for this, and they resigned the agreement just to show that they indeed supported that, and so there is clear authority for this sale, and that's really not anything that has to concern this Commission because the fifteen acres that this Commission is really focused on is part of the Special Act that was approved by the General Assembly. So on top of the City approving the sale, the General Assembly has authorized the sale of these fifteen acres to New Britain for the very purpose that we have shown you tonight, for golf course use. So I think there is no question about the legal authority.

Joe, do you want to just offer any thoughts about the city's perspective on this?

Joe Scully: As Attorney Cody indicated, I'm a lawyer with the City of New Britain, I work in the Corporation Counsel office, as Attorney Cody indicated the City of New Britain fully supports this project. It's been a long complicated process, this actually is the final piece of the puzzle. Just a little insight on what Mr. Plinas said, because this is land that was conveyed to the city, through a charitable trust, we got the State of Connecticut involved, the office of the Attorney General involved, this isn't happening with out the Attorney General's approval, so we have done everything that we are supposed to do, and as I said, this is the lat piece.

Chairman Camerota: Any Commissioner comments?

Commissioner Sobieski: Just a quick question. I realize with the changing of the golf course here, that drainage is not going to be an issue, but when Costco goes in, what happens with the runoff there. Will that go into this area here?

Tom Cody: John Mancini will give you the quick answer.

John Mancini: Thank you Tom. The parcel that Tom talked about which is really only about eight that is being used for the golf. This area here actually currently sheds this way and will continue to shed this way, and that is why we treated that edge, that edge that was the forest

edge with the golf edge, I would say carefully and with a lot of detail that we worked with the City Engineer with. This land here currently, if you are on the golf course, and you look over by the retaining wall that is by Target, there is a large pipe that goes under and through the Target land, and discharges way up here, and then comes back around and comes through, and on that pipe there is actually a restrictor plate on it, so when we come in with our development, we can't push any more water through that pipe down through the system, so we have to meet all of the storm events, pre and post development, so the way that we do that is by proposing underground detention on our site so that we are assuring that no further water is going through. That water is going this way, it's going nowhere near this land.

Chairman Camerota: Any other additional comments?

Commissioner Hall: Chris Greenlaw, the Town Engineer is pretty specific about the leaky stone berm, he mentions it several times. Can you show us where that is and explain a little bit about that.

John Mancini: Along this edge where the existing forest will remain, along, I don't know if you play golf, but typically what you see along the edge of where golf fairway or the mowed area on a golf fairway would be, is they reverse the slope a little bit, and they actually put like a little bit of a cup drain along that. Well, along that cup drain swale is a little berm, this detail here, so if a larger rainfall event, because most of this stuff, fairways are made with sand and it's getting to this swale, it can leak through the edge of the swale so at no point during, along this edge, do we ever have any concentrated discharge. So there is no specific, no, oh my God, it's all coming to one spot, and it's just going to blow out of that one spot, so this is the kind of work we do along a coastal edge if this was like a tidal area, this is the kind of detail that we would provide. This is really double belts and double suspenders here.

Commissioner Hall: Thank you.

Chairman Camerota: Thank you.

Tom Cody: Thank you very much.

Chairman Camerota: What is the Commissioner's pleasure on this application? Do we keep it open or.....

Commissioner Anest: I have a question. Craig, the items that are still outstanding, are those items that are not that substantial or.....

Craig Minor: Right, they are not that substantial. Chris and I talked about this, this afternoon before I got the actual memo, and we used the expression deal breaker, and he said no, there's no deal breaker here. This is all information that he is satisfied to be a condition of approval.

Commissioner Hall: Now these are the recommendations of Newington. Who is going to enforce this and who is going to oversee this to make sure this is done.

Craig Minor: Which recommendations?

Commissioner Hall: Chris's.

Craig Minor: Oh, before the site plan which is also on your agenda, the condition of approval, well before I have the Chairman sign the site plan, the site plan will have to include the addressing of these items.

Commissioner Hall: Which is then forwarded to the City of New Britain who, I assume, is going to be doing the actual building of it, so they will have to take what we have and translate it into.....

Craig Minor: Well, these are their plans.

Commissioner Hall: Right.

Craig Minor: These are the City of New Britain's plans.

Commissioner Hall: After we sign off on them, it goes back to them, and they do all of the finish work, so to speak. We won't have any other involvement after.....

Craig Minor: Well actually no, the Building Inspector will be, the Newington Building Inspector, according to the Town Engineer will be involved because of the height of the retaining wall.

Commissioner Hall: Okay.

Craig Minor: And our Zoning Enforcement Officer will be out there, as he would with any site, to make sure that everything that was built as shown on the plans.

Commissioner Hall: Okay.

Chairman Camerota: Can I get a consensus as to whether we are going to close it, or leave it open. What about moving it to Old Business to vote on it tonight.

Commissioner Aieta: Madam Chairman, the, in light of the Town Council of Newington approving, and putting this forward to us, and because of the information that we received tonight, I don't see any reason not to move this to Old Business and act on this to allow them to start performing the necessary construction so that they meet their time periods with the sod situation. Putting it off two weeks and voting on it then, I don't see any indication from looking around the table that there is anyone here that has strong feelings against this petition. In light of that, although the gentleman from New Britain who had spoken against this, these are all legal issues that have no bearing on this Planning and Zoning Commission. Our job here is to make sure that the application meets our regulations and it does then we have an obligation to move it and approve it.

Chairman Camerota: Any other comments? I agree with that, the applicant has stated that the items forwarded to them by Chris Greenlaw are all things that are acceptable, so I think we can move it forward as a Special Exception to approve it as a golf course. Can I have a motion to move Petition 48-13 to Old Business for voting tonight.

Commissioner Aieta moved to move Petition 48-13 to Old Business. The motion was seconded by Commissioner Leggo. The vote was unanimously in favor of the motion, with six voting YES.

Chairman Camerota: Thank you.

C. Petition 51-13: Special Exception (Section 3.2.9: Child Care) at 82 Candlewyck Drive, Agnieszka Haim, 82 Candlewyck Drive, Newington, CT owner/applicant/contact.

Chairman Camerota: Is the petitioner here? Come forward and state your name and address for the record.

Agnieszka Haim, 82 Candlewyck Drive, Newington: I would like to open a day care for children two to five.

Chairman Camerota: I'm sorry, what ages again?

Agnieszka Haim: Two to five.

Chairman Camerota: Can you tell us a little bit about your home where the day care is going to be?

Agnieszka Haim: It is going to be on the first floor. It is going to be two rooms. I am planning to be open from seven to five. I do have parking on my driveway, and additional parking on the side of my house, on Salem Drive

Craig Minor: I can confirm that this meets all of the bulk requirements. It doesn't exceed the amount of space to be used. I do want to mention on thing, and this may be the time to bring it up. A citizen, a neighbor pointed out to me that Candlewyck is a rather hilly road and there was some concern, was this a safe place to put a day care. I went out there today, and 82 Candlewyck, it's actually at a crest, which is probably the safest place along that stretch of road to have a place where people would be pulling over to stop to take their kids into the building, so I'm not concerned with the location as far as the topography is concerned. That was the only issue that I had.

Chairman Camerota: I drove by the location today too, and I thought although the driveway was steep, I didn't think the road was overly steep, and you said that you are going to have drop off on the side of Salem as well?

Agnieszka Kaim: Correct.

Chairman Camerota: Will the kids be going to school from your house as well, or will you have, will you be having buses coming to pick up kids and drop them off?

Agnieszka Kaim: I don't believe so.

Chairman Camerota: Okay. Any Commissioner comments?

Commissioner Aieta: Just a comment. We have a floor plan, but we don't have a site plan that shows the driveway, the entrance way, the street area, the surrounding area, the adjacent properties, we only have a basic floor plan that gives us the nuts and bolts of the operation. We don't have the information that I would require to be able to make an intelligent decision without seeing what it does, it's proximity to the other pieces of property, the driveway, the street area, the drop off area, it's not part of this application; I think the application is incomplete.

Chairman Camerota: Craig, did you want to respond?

Craig Minor: I was looking through my notes, because sometimes what I will do is make a copy of a Google map of a site just for my own comprehension, and I remember looking at Google maps of this property during my review, but I did not make a copy of it for you.

Commissioner Aieta: Isn't that a requirement of the applicant, to provide that information?

Craig Minor: It is if you ask for it, it's not an expressed requirement, and I think your point is well taken, you want to see the neighborhood, and in the future, future daycare requests I'll do that, I'll make sure that you have the surrounding area as well. It's not a legally incomplete application, but if you feel that you need more information, by all means, that's your prerogative.

Chairman Camerota: Any other Commissioner comments, questions? Seeing that this is a public hearing, I'm going to ask you to take a seat and see if there are any comments from the public. Is there anyone from the public wishing to speak in favor of this petition? Anyone wishing to speak against, I'm sorry, were you in favor?

Patricia Gallichio: I'm not against it, I have a concern and my concern is, we live next door to each other.

Chairman Camerota: Well, come up and just state your name and address for the record, and then you can state your concern for us.

Patricia Gallichio, 76 Candlewyck Drive: My concern is the traffic that goes down Candlewyck and Salem. They go down so fast that even when we try to move out of our driveway, we've almost gotten hit many, many times. So that, my concern would be if they could put in more traffic signs, or I don't know how they can slow down the traffic, but we have a few people who drive, they even go through the stop sign at the end of our street, they go right straight through and out. So, I'm concerned because the cars will be pulling in and letting off children, I'd like to know if there is something they can do to help them, to make it safer for the children.

Chairman Camerota: Okay, thank you.

Patricia Gallichio: You're welcome.

Chairman Camerota: I saw another hand. You can come up sir.

Bill Nahas, 29 Salem Drive: Reading the application letter that came with the application submitted by the applicant dated August 20th, it says in the application letter, and I'm quoting, that the children will be dropped off and picked up at the exit to the back yard. That's on Salem Drive. That is a cul-de-sac, so if the parents will be picking up and dropping off their kids, on Salem, they are going to be going up and turning around part of the way on Salem or racing up and going down, I went through that day care drop off too, you drop the kids off, you can't wait to get to work, so are moving pretty good. There are no sidewalks in that area, so people are walking in the area, so that's a concern. But reading the language of 3.2.9 of your board's regulations, I don't have the full copy of the regulations, but it says, Child Care Centers, this would fall in the other two categories, it says, a particular home in question shall, not may, shall have adequate size and frontage. It doesn't say side, back yard, it says frontage. Now that is the language that somebody put in here, you are bound by it. You can't pick up language whether you are interpreting, a regulation and it says shall, not may have adequate size and frontage for the safe, they put the word safe in there, pick up and drop off and sufficient, not just parking, sufficient on site parking. Now that is a section that

applies to a day care center that is in a commercial mixed use or residential area. It doesn't say residential only, so even in a commercial environment what this is saying is this is basically self contained. It doesn't want any impact on the surrounding properties obviously by reading this language. If you read it, it's clear to me, right on its face, so here we have an application that is stating that drop off and pickup will be off site, on a side street, a cul-de-sac which in my opinion is clearly in violation of the language from the start. Now when you look at, going down to the subsection G, of 3.2.9, it states that if the proposed location of such use is in a residential zone, now they are keying in on focusing on a residential, the following additional requirements shall, not may, apply. You look at five, it says, the Commission shall review the application with specific attention to the impact of such use on the residential character of the neighborhood. Now there are no sidewalks as I mentioned, in that whole area, in the neighborhood, and in particular on Salem Drive. Walkers walk up and down the street, some are elderly. Parents that drop kids off, because I was there, you are in a hurry to get to work. Now if the language is meant broadly, under this particular shall, adequate size, safe pick up, I don't see how any property in the city couldn't qualify. I think you have to look at the particular language, and I look at the date, it's effective going back to 12/1/01. So it's been in effect for twelve years, over, twelve and a half years, so the language, the words were put in there for a particular purpose and I think, number one, it was not impacting the surrounding properties and to be honest, in addressing Mrs. Gallichio's comments, I live where I live on Salem Drive for over twenty-six years, and I can tell you, coming down the mountain, there is a lot of momentum. They put up a couple of stop signs since I have lived there, one at the bottom at the crest going down, at the intersection with Lamplighter just four or five year ago, because there was a back accident. It was a real pain, you would have to stop going up and going down, but they put it in there because cars going down that hill, down the crest after the applicant's house are going at a fairly high rate of speed. You can't help it because of the mountain, building up momentum and a car at one point took a left coming up Candlewyck, going into Lamplighter, got broadsided and it was a pretty bad accident. So they put the stop sign on the way up, before the hill, and going down Candlewyck, after the crest, the applicant's house and there is a reason for that because people go up and down, because I've gone up, when I've come home during a snow storm, and I'm going up the hill, I'm fishtailing all around, I've hit the curb, because you don't realize it so much during dry weather, but in bad weather, there's an incline there and it's basically all the way up, when it's dry you don't notice it, but if there is a little bit of snow, it gets really slippery and it takes a lot of speed to go up so you are not slowing down when you are going up past the applicant's house, as you go up the mountain, it's a mountain, or coming down. If you live there you know. During snow storms, that section there, gets very narrow to the point that it is one lane going up and down and if there is a car parked on either side, even on a good day like today, then you are veering partially into the other lane. When there is snow, a large storm, or multiple storms, you're reducing to less than a lane coming up and down, so I think they will have problems both on the side and on the front if they were going to have drop off and pick up on the front because then, not to be argumentative with the Town Planner, but I live in that area and believe me, it's, when you have snow on the side, you don't have a lot of room, and the speed, the momentum as I said, as you are coming down towards the bottom of the hill. Ice storms, forget it. You can't stop when you are coming down the mountain. If you have a kids being let out, and there's no sidewalks and you don't have a lot of room there, if you have kids being dropped off and picked up during an ice storm, and we have those, we're having more and more of them in Connecticut, it is extremely dangerous, and I worry about that too. You know, I wouldn't pick that as a day care for my kids for drop off and pick up because we live in a winter state. I just think somebody needs to review I think the language in the application, make sure it is in compliance, specifically, what are your requirements, because it doesn't seem to be in compliance with your ordinance or a reg. With regard to pick up drop off at the front, I think somebody needs to do some kind of analysis to see if it is safe, and I think again, the reason

for the language, shall have adequate size and frontage, is safe, safe, not just pick up, they want to protect people in cars but the people who are driving the cars, in the neighborhood who are going down because if they hit somebody, you know, their life could be changed too. Injured, law suits, etc., so be careful before you decide on things if you don't have all the facts.

Chairman Camerota: I do see another hand, just come up.

Daniel Krupp, 16 Salem Drive: Good evening, my name is Daniel Krupp and I live at 16 Salem Drive. I have a letter that I'll leave. We oppose the day care for three reasons, major reasons. The first, as has been discussed at length is the traffic issue. I just became aware today of the parking, the pickup would be on Salem. I thought it would be in the driveway and I had assumed that there would be a very good possibility that people wouldn't park in the driveway and would come on to Salem simply because it is a safer street. Now that I know that they are talking about a rear entry way, as part of the variance, it only adds to my worry about the congestion, the noise, and the pick-up in general. I agree with him wholeheartedly about winter. Coming into that street on any larger snow event, I fishtailed coming in and fishtailed going down, it is dangerous, and the parking ban that is put in effect just for the plows to get through half the time, especially in a major event, they have only been able to put one lane up the street, so I see possible issues when they have leaf pick-ups, when they come around, that would impact parking as well. I am the adjacent resident. Our house is 16 Salem, so my front yard is adjacent to their backyard. So the issue of possible noise abatement was one that I would like to bring up, that I would like to recommend if some kind of fencing might be available to suppress noise. It is a commercial there, it becomes then a business as opposed to just being a neighbor. It was our thought that the noise level would increase resulting from the children in the backyard, and we thought that based on the variance that we would feel that the day care should be responsible for any noise abatement or something to that extent.

The property value, I seem to be the one that takes the biggest hit because not everybody wants to live next door to a daycare, so it limits my pool of possible buyers in the future. Other people may not have that issue, but again, there are singles with certain criteria that they may not like that, so I'm just putting it out there that we take the hit more than most of the people. I also felt that the idea that when J. Scelza built that whole complex there's a flavor to it, how they built it, and it's always been oriented to a quiet neighborhood, it's not about not having children there, I have no problem with that, but it's people taking walks on the street, being able to be out and about without having to worry about dodging cars and it does just change it into a commercial vehicle as opposed to a residential neighborhood. Those are my thoughts, thank you very much.

Chairman Camerota: Thank you for your comments. Thank you.
You can come up.

Susan Krupp, 16 Salem Drive: Hello, I'm Susan Krupp, Dan's wife. I live at 16 Salem Drive and I wasn't going to speak tonight, but I'm really upset with this, so I have to. I have to tell you how I feel and how I think. I am very distraught over this and the idea that someone would take our nice quiet neighborhood and turn it into a commercial neighborhood is just wrong. It's my house and my home and my families home that are predominately affected because there is no real barrier between their backyard and our home. There's a little fence that is no big deal, we're impacted by noise, they are letting off, drop off and pick up is right next door to my house, literally three feet away from where my house is, so the cars are going to be parking in front of my house, the cars are going to be letting the kids off in front of my house, especially if there are two or three cars, this is just not okay.

We have across the street from us an elderly gentleman who likes to walk. He likes to walk in the morning, and this is going to be extremely difficult for him. We have another elderly gentleman who lives down the street who is physically impaired, and he's going to have to dodge cars. We have a family who lives down our street with little children, and those little children like to play in the cul-de-sac and they can because we have a quiet street. This is going to take our quiet street and not make it quiet anymore. Now I've lived there seventeen years, the Ahearn's have lived there twenty-six years and we have always gotten along with our neighbors, we've never had any issues with our neighbors, and our neighbors have always one, spoken to us to tell us what they were going to do before they did it, this did not happen. Our neighbors have always, always, tried to do what was best for the neighborhood. This, this is not best for the neighborhood. This isn't a, and this has to be about our neighborhood, because we live there, and if we have to live somewhere and you just changed my neighborhood, and you're giving someone permission perhaps, to change where we live. That's not right. I didn't buy into the Town of Newington on 16 Salem Drive to have it changed just because you want it changed, or somebody else wants it changed. I bought there to live in a nice quiet neighborhood. I want it to stay that way. This is just unacceptable. I can't imagine why anybody would take a corner where the Town of Newington took, the school bus used to let our kids off at the corner of Salem and Candlewyck, and they decided it was unsafe for the bus to drop kids off there because of the traffic, and that it was unsafe for the bus to drop kids off there because of the weather, and how bad that hill gets in the winter, and they moved it across the way to Cambridge because that was safer. So how can we let a bunch of kids being dropped off and picked up when we have potentially bad weather? And need I remind anybody who has looked at this, if you've really taken a good look at it? There's a telephone pole right there, do you know how many times that telephone pole has been hit? How many times I've had telephone poles in my front yard because somebody has driven up the street and hit the telephone pole? I can't tell you how many, but at least five times that I know of in seventeen years. So if it's been at least five times that I can remember in seventeen years, without having a day care center, with a potential for pick-up and drop off, how many more times is it going to happen? This is, and I apologize for being so upset, I am beyond upset. This is something that you really need to consider, you need to think about the people who are already living there and this is something that you really cannot do. You cannot allow, and my husband talked a little bit about our property values. We don't have any intention of selling our house in the next two weeks, or the next two years or the next two months, but I might want to sell my house when my kids graduate from college. And I might want to move to another part of town, and I'm not going to be able to because who is going to buy a house next to a busy daycare. So the property values of the area that we live in will plummet, and that's not good for the town. The property values go down, taxes go down. So no matter how you look at this, opening this day care in this neighborhood, next door to my house is wrong. It's wrong for the children, and it's wrong for us. Thank you.

Chairman Camerota: Thank you for all of your comments, that's why we have this public hearing.

Susan Krupp: Thank you.

Chairman Camerota: Is there anyone else wishing to speak against this petition?

Elisa Nahas, 29 Salem Drive: We've lived there for twenty-seven years, most of the people in our neighborhood are elderly or the original owners. I believe that the applicant may not be as familiar with the neighborhood because it appears that the closing for the home occurred about a month before she submitted this application, so she may not be as aware of the safety concerns and the danger concerns that we are all aware of. In addition to what

everyone else just said, I would like to make one other comment that if in fact the drop off would be on Salem Drive that, since they are on the corner, that is where we all stop for the stop sign, and with the pick up and drop off for the day care, we will all be going to work in the morning, at the same time as presumably that all of the kids are getting dropped off, and that is where we stop at the stop sign. In regard to the driveway, since seeing the sign for the public hearing, I looked to see if the driveway was even usable, and every time I have driven by there are at least two cars in the driveway, so I don't think the driveway will be used for drop off and pick up. Again, I would just like to echo what everyone else has said, that we strongly oppose the granting of this special use. Thank you very much.

Chairman Camerota: Thank you. Is there anyone else from the public wishing to speak against this petition? Seeing none, at this time do you want to respond to the comments that were made?

Agnieszka Kaim: I just want to say that my neighbors are like that I want to take care of fifty kids. At the level noise, I work in a pre-school, and six children will not make that much noise, and I'm pretty sure that it will not make them unhappy. If it comes to snow days, everyone knows, all pre-schools and day cares are closed. So I don't think that will be an issue.

Chairman Camerota: Anything else? Any Commissioner questions or comments?

Commissioner Hall: I would just like to follow up on what Frank said. I would like to see a site plan on this, I'm very familiar with this house, and my concern is that they are talking about a rear entry and exit, and when you park on Salem, there's a little bit of a hill, that comes up to the back. I don't remember where the backdoor is on that section, and are they going to have a walkway. Also they talked about a fence, well, then you are going to have a gate, because you can't go through the fence without a gate, and to have the walkway, so I would just like to see the site plan on all of that.

Agnieszka Kaim: The gate and the fence are.....

Commissioner Hall: I know there used to be one.

Agnieszka Kaim: Yes, there is.

Chairman Camerota: It would be helpful to the Commission if you would present that information in the form of a site plan that shows where things are going to be, whether there is going to be a walkway, where the pick up and drop off, is there going to be a sign so people know where to pickup and drop off, because this is a busy corner and this is going to be a safety concern. The driveway is steep, as the person just mentioned, there are two cars in the driveway, so I don't think.....

Agnieszka Kaim: We have a two car garage.

Chairman Camerota: Yes, but that would be information that would be helpful to the Commission. We will leave this open so that you can submit that.....

Agnieszka Kaim: I will correct that and I will come back.

Chairman Camerota: We appreciate that.

Commissioner Hall: And also, I'm still confused as to why we can't use the driveway. I mean it's a wide driveway, I know it's steep, I know it goes up, and meets the garage, but why can't they use it because there is a walkway right from the garage to the front door.

Commissioner Aieta: Unfortunately these are all questions that should be answered with the site plan, that's why I asked for it at the beginning of the meeting. This application in my opinion is not complete, and we can't keep getting these applications with not enough information to make an intelligent decision on it. They talk about a fence, that should be on the site plan, the style of the fence, so many questions that have to be answered that you couldn't even consider this application until we have that information.

Chairman Camerota: Anyone else? Thank you, we will keep it open, you can submit that information.

Agnieszka Kaim: I just want you to know (inaudible).

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

None

V. **REMARKS BY COMMISSIONERS**

None

VI. **MINUTES**

A. August 28, 2013

Commissioner Sobieski moved to accept the minutes of the August 28, 2013 meeting. The motion was seconded by Commissioner Camillo.

Commissioner Aieta: Madam Chairman, I was not at the last meeting, but I watched it on television and I also read the minutes, so I am prepared to act on the applications that are before us tonight and act on the minutes.

The vote was unanimously in favor of the motion, with six voting YES.

VII. **NEW BUSINESS**

A. **Petition 43-13: Site Plan Modification (Assisted Living at 2125 Main Street, Middlewoods of Newington, owner/applicant, David Lawler, 580 Long Hill Avenue, Shelton CT, contact.**

Jim Swift: Professional engineer and professional landscape architect, Shelton, Connecticut. As pertains to the site plan, I guess I would like to ask the Commission to consider the testimony of the previous public hearing. The site development physically is limited to the addition of the building footprint, and I believe we went on the record at that point giving the coverage that we noted and other aspects of site development such as storm drainage, so if the Chair would allow, we would like to make the public hearing record part of the record for this application.

Chairman Camerota: Okay. Craig, any comments?

Craig Minor: Yes, I believe Mr. Swift mentioned during his presentation, but I do have a letter from the Town Engineer regarding the site, and let me read it. It is kind of technical that I want to read into the record. "This office has reviewed the plans entitled Special Permit/Site Plan Review application Middlewoods Assisted Living Facility, 2125 Main St, Newington, etc. The following preliminary comments as they pertain to the drawings are as follows: 1. Provide tabular hydrographs in minutes; 2. Provide report with maximum flow in, maximum flow out, maximum elevations stage storage, etc., 3. Provide length and slopes of storm pipes, 4. Provide shop drawing of underground storage units to be used; 5. Provide filter fabric around stone perimeter; 6. Elevations specified on underground storage detail do not coincide with plan, revise according. Then, two more comments, 7. Show construction entrance; 8. Include catch basin detail and storm trench detail. So I think all of these items can be addressed through condition of approval.

Chairman Camerota: And the issue of the parking?

Craig Minor: I double checked the site and in my memo to you I said there were four new units, there are actually six but there is still sufficient parking for six additional units.

Chairman Camerota: Commissioner comments or questions?

Commissioner Aieta: Madam Chairman, I'm concerned for the neighbor to the north, her complaints, particular about the dumpster and the time of day when they are picking up. If we go for approval, I would like to see that as part of the approval, that they change the pickup times, or change the location of the dumpster area for that neighbor. Also, if there was a berm that was supposed to, or a landscaped area, or a buffer area between her property and this property that was not provided under the original application, that that be part of this application so that she gets what was originally proposed from the first time. Those are my comments, thank you.

Chairman Camerota: Thank you. Any other Commissioner comments or questions? Any response from the applicant?

Jim Swift: We did take the time to talk to the neighbor after the meeting. We are going to meet with them sometime this week, tomorrow perhaps, or the day after, and I'm sure we will have more to report to the Commission during the continuation of the special permit.

Chairman Camerota: Thank you. Craig, if you could just check on the stripping of that road that goes along her property and see if that was originally not stripped and what happened with that?

Craig Minor: Yes.

Chairman Camerota: Thank you.

B. Petition 49-13: Site Plan (Golf Course) at 245 Hartford Road, New Britain, City of New Britain, applicant, State of Connecticut, owner; Seth Feigenbaum, City of New Britain, CT contact.

Craig Minor: Does everyone have the reduced size copy of the golf course plans? Okay.

Tom Cody, Robinson and Cole, 280 Trumbull Street, Harford: First off, I'd like to ask you if you could incorporate all of the testimony from the special exception public hearing into this proceeding, and then ask if you have any other questions, we'd be happy to answer them.

Chairman Camerota: Craig, do you have anything?

Craig Minor: No, nothing additional.

Chairman Camerota: Commissioner comments?

Commissioner Aieta: Just for the record, I feel that they have provided pretty much the site plan information when they gave their public, after the first application, so it would be redundant to hear it again.

Tom Cody: Thank you.

Craig Minor: Do you want to talk about moving it to Old Business? This site plan.

Chairman Camerota: We have already moved the Special Exception.

Commissioner Anest moved to move Petition 49-13 to Old Business. The motion was seconded by Commissioner Aieta. The vote was unanimously in favor of the motion, with six voting YES.

C. Petition 47-13: Zoning Text Amendment (New Section 6.15: Medical Marijuana) Town Plan and Zoning Commission, applicant.

Craig Minor: What is the Commission's pleasure?

Chairman Camerota: We did discuss our issues, do you think it's necessary to have another special meeting? I don't think, the agenda for the next meeting is light.....

Craig Minor: Well actually, since this is an amendment that would be town wide, I need to send it to the RPA at least thirty days before the hearing, so the hearing couldn't be until your first meeting in October.

Chairman Camerota: Well we don't have a final amendment yet, so we wouldn't be scheduling it anyway, so at that time we can just look at the revisions and questions that we have for you, but we don't have a special meeting.

Craig Minor: Okay, so it will still be under Old Business, still New Business or will it be Old Business next month, next meeting. I'm still learning your procedures. It's still New Business, okay.

VIII. OLD BUSINESS:

A. Petition 40-13: Special Exception (Section 6.2.4: Free Standing Sign) at 100 Milk Lane. Sign-a-rama, applicant, Saputo Dairy Foods USA owner, Richard Kossakowski, 2162 Silas Dean Highway, Rocky Hill CT, contact.

Commissioner Anest moved to approve Petition 40-13: Special Exception (Section 6.2.4: Free Standing Sign) at 100 Milk Lane. Sign-a-rama, applicant; Saputo Dairy Foods USA, owner, Richard Kossakowski, 2162 Wilas Deane Highway, Rocky Hill CT, contact.

CONDITIONS:

None

The motion was seconded by Commissioner Sobieski.

Commissioner Aieta: The Commissioners found that the sign was on his property and I saw at the meeting, so it looks like he met all of the qualifications, site lines and everything else?

Chairman Camerota: Yes.

The vote was unanimously in favor of the motion, with six voting YES.

B. Petition 46-13: TPZ Approval of Outside seating (Section 3.11.6: Outside Restaurant Seating at 1125 Willard Avenue ("Pizza and Pies") John Parkos, 7223 Town Place, Middletown, CT, owner/applicant/contact.

Commissioner Camillo moved to approve, with conditions, Petition 46-13: TPZ Approval of Outside Seating (Section 3.11.6: Outside Restaurant Seating) at 1125 Willard Avenue (Pizza and Pies) 1125 Willard LLC, owner John Parkos, 7223 Town Place, Middletown, CT applicant/contact.

CONDITIONS:

1. The current furniture will be removed within 48 hours of this approval.
2. This approval is limited to:
 - a. One bench 18" deep;
 - b. Two tables 24" x 24"
 - c. A total of four chairs, two at each table.
3. The above-listed furniture must be designed for outside use

The motion was seconded by Commissioner Anest.

Craig Minor: Madam Chairman, I'd like to add a fourth condition. The owner's signature was not on the application which I brought to the applicant's attention earlier last week, so a fourth condition would be that the owner's signature would need to be provided indicating his approval of the request.

Chairman Camerota: Craig, I could be wrong because I didn't go back and look at it, but I don't remember the bench being in there, I thought it was just two tables and chairs.

Craig Minor: I read the minutes, and that is what Mr. Parkos said.

Commissioner Anest: I remember the bench.

Commissioner Hall: I would also like to add that we are going to verify that that slab, that concrete slab is five feet because I drive past it every day, and it looks as if these tables and chairs, right now, are pretty much hanging off. I mean, there is like this much space between the chair leg and the edge. It doesn't look like five to me, but I have not gotten out of the car and I have not measured it, so.....

Commissioner Aieta: In review of watching the minutes and listening to the applicant's application, comments of the Commissioners, I did a site visit to the site, I don't think that this

application lends itself to providing safety for the public, entering and exiting that piece of property with even a two foot square table with chairs around it, and then a bench. I don't believe that the sidewalk is adequate, is wide enough to have outside seating plus provide safety and adequate walk space so people are not walking in the roadway to exit and enter that property. I know that lot of small businesses come in for outside seating, it seems like that is the new bad thing for restaurants to do to grab a couple extra seats, but in some instances it doesn't work, and I believe that this is one of the instances that the outside seating does not do anything for the business, it only hinders it and makes it an unsafe situation for entrance and egress from the property.

Chairman Camerota: Thank you.

Commissioner Sobieski: I go by there on Fridays and the concrete doesn't seem to be five feet wide. I think that should be verified with a physical inspection in the field from either the Town Planner or the Town Engineer, or Building Inspector.

Chairman Camerota: Any other comments: For what it's worth, I feel that the tables are crowded out there, I can see a bench, and also, I'm a little disheartened that after we said that the furniture was inappropriate for being outside, that it remained there for two weeks while we considered this petition and that we don't really have any indication of what kind of furniture was purchased for this location. I do think it presents a safety concern, a little more information needs to be obtained before we can entertain having seating at that location. Any other comments?

The vote was unanimously opposed to the motion, with six voting NO.

C. Petition 50-13: Modification to Approved Site Plan at 100 Milk Lane ("Kohler Mix Specialties"), Kohler Mix Specialties, applicant, Catamount Newington LLC, owner, Raju Bangalore, Saputo Dairy Foods USA, LLC, 100 Milk Lane, Newington, CT, contact.

Commissioner Hall moved to approve Petition 50-13: Modification to Approved Site Plan at 100 Milk Lane ("Kohler Mix Specialties") Kohler Mix Specialties, applicant, Catamount Newington LLC, owner, Raju Bangalore, "Saputo Dairy Foods USA, LLC, 100 Milk Lane, Newington, CT contact.

CONDITIONS:

None.

The motion was seconded by Commissioner Aieta. The vote was unanimously in favor of the motion, with six voting YES.

**Petition 48-13
Special Exception (Golf Course)
245 Hartford Road, New Britain (Stanley Golf Course)
City of New Britain, owner/applicant**

Commissioner Sobieski moved to approve Petition 48-13 Special Exception (Section 3.4.1 Golf Course) at 245 Hartford Road, New Britain, City of New Britain applicant; State of Connecticut owner, Seth Feigenbaum, City of New Britain, CT, contact

CONDITIONS:

None.

The motion was seconded by Commission Anest.

Commissioner Aieta: Just for the record, we heard the applicant, we heard all of the information, we've gotten it from the Council that they approved it, the Town Council of Newington. Some of the legal issues that happened over the last couple of years do not pertain to our decision that we make here tonight. I'm putting this on the record because if there are any ramifications in the future, I want that to be part of the record.

Chairman Camerota: Thank you. Any other comments.

The vote was unanimously in favor of the motion, with six voting YES.

Petition 49-13

Site Plan Approval (Golf Course)

245 Hartford Road, New Britain (Stanley Golf Course)

City of New Britain, owner/applicant

Commissioner Leggo moved to approve, with conditions, Petition 49-13: site Plan Approval (Golf Course) at 245 Hartford Road, New Britain, City of New Britain, applicant, State of Connecticut, owner; Seth Feigenbaum, City of New Britain CT, contact.

CONDITIONS:

1. The split rail fence shown at the tee for Hole #13 shall be replaced with a stockade fence or other type of fence (to be approved by TPZ staff) that cannot be sat upon.
2. The plans shall be revised to address the comments in the Town' Engineer's memo dated September 11, 2013 to the Town Engineer's satisfaction.

The motion was seconded by Commissioner Aieta.

Chairman Camerota: I would like to propose an amendment to Condition one that it coincides with the Town Engineers report or letter that the barrier or the fence be at least four feet high.

Craig Minor: Okay, so how would you like the sentence to read?

Chairman Camerota: Condition One: Split rail fence shown at the tee for Hole #13 shall be replaced with a stockade fence or other type of fence at least four feet high (to be approved by TPZ staff) that cannot be sat upon.

Craig Minor: Thank you.

Commissioner Aieta: Do we have to, our second, well, I agree with the amendment, it was my second.

Chairman Camerota: All in favor of the amendment say AYE.

The vote was unanimously in favor of the amendment with six voting YES.

The vote was unanimous to approve Petition 49-13, with the amendment with six voting YES.

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING:

- A. Petition 52-13: Special Exception (Section 6.2.4: Free Standing Sign) at 3237 Berlin Turnpike. National Sign Corporation, applicant, Rockledge Properties, owner, Tracy Becker, National Sign Corporation, 780 Four Rod Road, Berlin, CT, contact.

Craig Minor: Just the one item, a free standing sign. The Sovereign Bank on the Berlin Turnpike apparently has a new corporate name, Santander, and so they just want to replace, well they want to do more than just replace the message because when I was looking at the application I thought, well all they are doing is changing the text, they are not changing the structure itself, so I went to Art, and Art said no, they do want to replace the entire pylon itself so that is why it does require a new approval.

Chairman Camerota: Okay, so we will put that on for the next meeting.

X. TOWN PLANNER REPORT

- A. Town Planner Report for August 28, 2013.

Craig Minor: Number one, Zoning Enforcement Issues raised at the previous meeting, none; Old Performance Bonds held by the town, I'm sorry, I did not get to it since the last meeting so I have nothing new to report on that; Status of Modern Tire Appeal, nothing new to report; Newington Junction TOD Planning; I won't read that, but the committee met the other day with the consultant, it was a very productive meeting, a lot of information was conveyed. Something that didn't, I didn't remember to put in here, but the committee decided that it would be good to have a Chairman, so Terry Borjeson was chosen to be the Chairman of the TOD Committee. That way there is a person for me to go to if I need some guidance as to whether to schedule a meeting or whatever. As you can see, the committee made a number of decisions so they are going forward as a structure as to what they are working on. If the Commissioners have any questions, we have a couple of the committee members here. If not, I'll just move on.

Chairman Camerota: Thank you both for serving on that.

Commissioner Aieta: I have just a, for informational purposes. What kind of things are they talking about? What kind of development are we talking about around the busway.

Commissioner Hall: We really haven't gotten to that point yet, they are really exploring a lot of different options and its gone back to the consultant at this point to come back with what I guess is going to be termed an aggressive plan. There were several options of smaller plan, medium plan, larger plan, and so they thought it would be best to see the largest possible plan and then maneuver it as need be, so there hasn't been a lot of specific talk, it's just back in their court at this point, and hopefully we will have something, what did they say, within four to six weeks I guess, and then we come back and let you know what we did at that point.

Commissioner Aieta: I was just concerned about what type of development....

Commissioner Hall: Oh, everybody is.

Commissioner Aieta: Which I'm sure you are and Mike are.

Commissioner Hall: But these consultants have done projects in Massachusetts, in Rhode Island, and so they have some background, and it is going to be interesting to see what they come up with.

Craig Minor: Low Impact Development Regulations, nothing new to report; revisions to the sign regulations, I haven't written up the changes since the last meeting, but I will do that within the next week or so; and then the last item, I put this on the agenda just for the Commission's attention. This is a new church, not a big church, about 5,000 square feet, and it's going to be on the east side of Russell Road which is in Wethersfield, and Russell Road is entirely in Wethersfield. We know of course because of Toll Brothers property, project, but Russell Road is in Wethersfield, the church would be roughly here. Russell Road is entirely in Wethersfield except where it comes down to Newington here, so I could see a Commissioner being, concerned is too strong a word, but being curious to know more about the project, so I put it on the agenda just in case anyone would like me to follow up in more detail on it, if anyone would like me to contact the Planner in Wethersfield on it, to get specifics on it, maybe even go to their meeting later this month, when it's going to be a public hearing.

Commissioner Aieta: Is this a new building?

Craig Minor: Yes.

Commissioner Aieta: It is a new building.

Craig Minor: Yes, I have the plans.

Commissioner Aieta: That's right across from some valuable property in the Town of Newington and controversial area in the Town of Newington so maybe we should know a little bit more of what is going on there.

Commissioner Sobieski: I think we should get someone to go to one of their meeting, or have the Town Planner come here.

Craig Minor: Well, can I be so bold to ask if anyone here would volunteer to do that, and the letter from Wethersfield is in your packet, yes Tuesday, September 17th.

Commissioner Aieta: You're not getting any volunteers.

Craig Minor: No I'm not.

Commissioner Aieta: You are going to have to go.

Craig Minor: Okay, I'll go.

Commissioner Aieta: Unless they can give us a plan or something, you know.....

Craig Minor: I do have the plans, I thought.....

Commissioner Hall: We have them here, what is a Knanaya Church?

Craig Minor: I didn't know either, so I Googled it.

Commissioner Hall: Greek?

Craig Minor: No, India, Indian. These are India Indian Christians and it's a denomination that has been around for like a hundred, two hundred years.

Commissioner Hall: I didn't know they had a St. Mary. This is interesting.

Chairman Camerota: I would just like to know what type of activities, what hours, so we can anticipate the traffic that would be coming potentially down onto Cedar Street, I'm not sure what their congregation is made up of, there may be several people in Newington, New Britain that.....

Commissioner Aieta: I know that there is an Indian Church at the end of Church Street that used to be a Synagogue, and when they have, and I don't know if it's the same type of denomination, I don't know anything about it, but when they have events there, I know that they draw people from all over New England. I mean, it's a huge community, so there could be some traffic and parking and stuff like that impact, and it could impact us in Newington.

Chairman Camerota: Especially if it is a denomination if there is not a lot of places for people to go to worship, you may be drawing people from all over.

Craig Minor: As I said, it's 5,000 square feet, and if you look at the parking lot, just using that as a rule of thumb, it doesn't look to be very big, but I will get more information on it.

Commissioner Hall: I would like to see a larger, maybe a GIS or something, of how this sits in relation to say, Cedar Mountain Stone, and all that that is lined up. I would like to see where it is in that row?

Commissioner Anest: Is it beyond Arrow?

Craig Minor: I believe Arrow is just to the right.

Commissioner Hall: There are no street markings, it's just Russell Road.

Craig Minor: I picked sheet C-100, there are other sheets in the set that I have that show a larger area, and I'll get that to you.

Chairman Camerota: Is that it for your report?

Craig Minor: Yes.

XI. COMMUNICATIONS

A. Letter from John Bachand regarding Packard's Way subdivision.

Craig Minor: There is a letter from John Bachand in your packet, he's the neighbor of the Packard's Way subdivision and he's been following the progress of it with some interest because he is the neighbor. His letter is in the package, I assume that you read it, if you have any questions, I'll attempt to answer them.

Chairman Camerota: Any questions?

Commissioner Anest: Has anyone followed up on his concern?

Commissioner Aieta: Are they moving ahead with the subdivision?

Craig Minor: Oh yes.

Commissioner Aieta: I haven't been by there in a couple of weeks.

Craig Minor: It's not moving as quickly as anybody would like, including the developer herself, but it is moving forward, in fact, we just heard the other day that one of the lots has been sold.

As I understand, Mr. Bachand's main concern was that when the project was approved one of the issues that he was concerned about was that this project would prevent his property, which is above it, from draining properly. So apparently late in the approval process it was agreed that the developer would include an extension of the highest most catch basin, a pipe extending from the yard drain, I should say, to the edge of the property, so that he could then connect to it. That never got on the plan, it was an oversight. It was not physically put on the plan although it is in the narrative approval letter, so it is certainly documented that this additional pipe is an obligation, it's not shown on the site plan. When Mr. Bachand brought that to my attention a year ago, I said, well, all right, let's do it this way, the developer has been talking about coming back to P & Z for permission to make some substantial changes to the design, which would require a new site plan. When that happens, I will have her make this additional change. I was reluctant to have her put it on the plan on file, not make her go through the expense of hiring a new engineer because she's kind of between engineers as I understand it. The original engineer who designed the project is no longer involved with the project. So she would have to have someone else draw up a change to someone else's plan, which I know engineers are always reluctant to do, it just seemed like an awfully complicated and possibly expensive process just to get in picture format something that is clearly in the approval letter that she has to do, this additional pipe.

Commissioner Anest: So why was the plan signed off.....

Craig Minor: It was an oversight.

Commissioner Anest: I know, but if Mr. Bachand is not satisfied, now he still has concerns a year later, I think we need to do something to make this correct, to be in the file years down the line, and for Mr. Bachand.

Craig Minor: If the Commission wants me to, I will then, I'll go to the developer and tell her that she'll just have to bite the bullet and spend whatever it costs to at least have one sheet, maybe not all twelve of them, but at least one sheet showing this pipe.

Commissioner Aieta: There was a, if I remember correctly, there was a, people to the east of this property who had concerns about drainage also....

Commissioner Hall: The people on Vincent Drive.

Commissioner Aieta: Vincent Drive area, talking about flooding in the cellars, and this might aggravate the situation and I don't know if all of that engineering has been perfected to the point where we're not aggravating a bad situation that is already there. I'm assuming that our Town Engineer is on top of this.

Craig Minor: Yes, very much so.

Commissioner Aieta: And we are protecting those people from this development not worsening, at least not worsening, if not correcting some of the problem if it is coming from this piece of property.

Craig Minor: Yes, he's had some very intense conversations with the developer and her engineer to reiterate how concerned the town is that this project not create any backing up or flooding issues for the abutting property owners.

Commissioner Aieta: I have to back up what Carol said, we need to have backup and stuff on the records so, that's the price that you pay to develop property. Things have to be done and have to be done the right way, can't be on a handshake or I said so. It has to be recorded and done properly so that we protect ourselves as a town.

Commissioner Hall: I want to address the second part of your statement Craig when you said that there were going to be changes, that she had to come back to us anyway. Has any of that materialized?

Craig Minor: No, she has, kind of a moving target, but my understanding is that she has decided not to come back and ask for any changes.

Commissioner Sobieski: Craig, on that drain that yard, the lateral drain that is going to come off and go into the back of Mr. Bachand's property, who is going to be responsible for maintaining that.

Craig Minor: Mr. Bachand. Well, the part will be built by the developer.....

Commissioner Sobieski: What I'm referring to is if there is a slippage in the pipe joints or something like that, somewhere down the line, who is going to be able to go in and repair that?

Craig Minor: That is a good question.

Commissioner Sobieski: Would it be a Town of Newington issue?

Craig Minor: That's a good question. I don't have an answer. I'll find out, that's a good question.

Commissioner Sobieski: Also, we have the town I know has probably fifty of these things around town where the town has to go in on private property to clean them out.

Craig Minor: I know that we will have an easement so we can do maintenance, but your question was, whose obligation will it be, and that I'm not sure of. I'll find out.

Chairman Camerota: Any other comments on Mr. Bachand's case?

Craig Minor: All right, so the consensus is that I should direct the developer to spend at least one sheet showing the pipe. Okay, I will do that.

John Bachand: I know that you don't normally allow anyone to speak, but I've got some suggestions for you.

Commissioner Aieta: There is public participation that is coming up and you can speak under Public Participation.

Chairman Camerota: It is on the agenda.

Commissioner Aieta: It's on the agenda, I'm sorry.

John Bachand: I've got to come back next week then?

Chairman Camerota: Or call, just all Craig.

Craig Minor: He does.

Chairman Camerota: I know you do.

B. Wethersfield P & Z Application No. 1805-13: Special Permit for Church on Russell Road.

Discussed under Town Planner's Report

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

None.

XIII. **REMARKS BY COMMISSIONERS**

Commissioner Aieta: I have a couple of things I wanted to bring up. I was not here at the last meeting, and I know that you discussed Bonefish. I'm getting telephone calls from Council people saying that the parking, that we did not do a good job with the parking, and I just, I don't want to berate this problem, I know what happened there, but we should talk about this issue so that in the future when developments like this come in that we don't make the same mistakes. Number one, the parking, which we all know the people are parking, the employees are parking down at Price Chopper. They said that they, we have never, as a Commission, and we were not told, as part of this application that they were going to have their employees, or somebody parking off site. You know, and I know that when you have an application like this they are supposed to have all of their parking contained on their own property. With saying that, I don't believe that we have taken into consideration all of these cars, there are forty-five, fifty cars down there.

Commissioner Anest: Not any more.

Commissioner Aieta: Not any more?

Commissioner Anest: No, because they were all training staff and they're.....

Commissioner Aieta: So they are going to be able to handle their employees.....

Commissioner Anest: That I don't know.

Commissioner Aieta: On their own property.

Commissioner Anest: I know that they had like almost double staff.

Commissioner Aieta: So what is, I don't think we used the right criteria on this project. You have outside seating there that I don't think we took into consideration, we used seventy percent of the square footage of the area and I don't think we took into consideration that they might have staff of twenty something, twenty, twenty-five people as staff. That's twenty-five cars, because no one ever car pools. So, out of that, I think we have to take into consideration those factors when we are looking at restaurants. This is a high end

restaurant. I know, I was involved with Ruth Chris Steak House from it's inception. That place has never stopped as far as having Friday, Saturday, Thursday, busy nights of the week, that place is jammed. I mean, these restaurants that are, this scale restaurant, they don't get to the point where it trickles off and you just, I mean, they are constantly busy, particularly at the times of the week, Thursday, Friday, Saturday night dinner hours. I don't believe that there is enough parking.

Chairman Camerota: Well, it's my understanding, and Craig, correct me if I'm wrong, but the parking does comply with our regulations. I'm not so sure that isn't some issue with the way that our regulation is written and as far as the outdoor seating, we didn't consider it, I don't think we have in the past, unless it's a situation like where I think Cavos had outdoor seating, and then they covered it, and then we considered it and calculated it in, and maybe that's something that we should be considering because I feel that when they do come before us we do actually consider it. When they come for a special exception we do actually think about it, but we may not, and I don't think our history has been to consider it when it is part of the initial site plan or petition. That may be some change that we need to make internally, even with our regulation or just as, if our policy is now going to be, if you have a petition and it includes outdoor seating you need to calculate that in your overall parking. I realize, and I think the reason that it sounds good is, it's usually temporary.

Commissioner Hall: Seasonal.

Chairman Camerota: But now, with the heat lamps and such, it's gotten a little bit longer. Now you can do four or five months where before maybe you did two or three.

Commissioner Aieta: You know that when this application came in that I asked this Commission to take a look at the whole piece of property, the Urgent Care, the Bonefish, and the Firestone piece of property and look at it as a master plan. I was shot down at that time, and they said, oh no, we can't do that. Well, we could have done that. We could have insisted on them bringing in a master plan so that we had, we could have studied the parking as a development, a whole development, not taking it as pieces of a time, and I think we missed the boat on that, and that's something that we should be cognizant in the future when we have developments with these split sites and such, that we insist on seeing a master plan, how it develops out, and I'm getting calls and I don't like getting them, when they are asking, well; you guys didn't do the right thing on the parking. When I drive by there, and I know it just opened and it could be just the splash of it opening, but I see this place packed to the gills and then I see people walking up the street from, from the middle of Louis Street, from there, to go to work, and hopefully the situation rectifies itself because of the nature of the thing, but I hope we have enough parking on the site.

Commissioner Anest: But on the bright side, when people can't get into Bonefish, they do go to the other restaurants on the Berlin Turnpike, they go to other stores on the Berlin Turnpike, so it is kind of a positive for the other retailers on the strip, which is what we want. The whole idea is to bring people to the Berlin Turnpike.

Commissioner Aieta: But we have to be able to look at, and they've got to be able to contain their parking, their employees, their worse case scenario, they've got to be able to take care of that. For the future, we should be more aware, particularly on restaurants and places like this, on sites that are, I understand, I'm in development, I'm in construction, I understand, you know, we want to maximize the most use of the property and sometimes we do it to the extent that we hurt ourselves and that's enough on that one.

Craig Minor: I would like to suggest one thing. I think part of the problem is that the regulation requires one parking space for fifty square feet of floor area. That's, what other towns do, they require a certain amount of parking per chair, or per seat which makes a lot more sense. The regulation that we have.....

Commissioner Aieta: We put it on occupancy, we don't even, we never consider, what's occupancy of the building and how many staff do you have, you know, we could redefine this so that we have a better handle on it. To take a square footage and use some magical numbers out of the sky, it doesn't work because I have seen these things multiple times where we do it and sometimes we've got so much parking that it is ridiculous, and other times we don't have enough and it hurts the business.

Chairman Camerota: I think Craig has a good point, because when you do the square footage people could be putting a big long table where you have many at your table, but the ambiance, Ruth Chris has their tables very separated because it tends to be more of a nice atmosphere, where say a place like Chili's may be more concentrated.

Commissioner Aieta: Right. Do you think maybe we should take a look at the parking requirements for, maybe just look at the parking requirements like we did with the signs and try to refine it more so that we get a better product than, I don't, we see these properties turning over and different things coming in and we are going to see this more and more with existing properties turning over to different uses.

Chairman Camerota: Well I think the point that Carol made is that people don't carpool either. Or as you said, they come to work.....

Commissioner Aieta: No, if there are forty something people there, there are forty something cars.

Commissioner Anest: We were there one night for Happy Hour, rather we were there for dinner, and there were fifteen people there for Happy Hour, and they all had separate cars. So it's difficult if you are doing square footage, and I agree, usually if you go it's husband and wife you have one car for two, or a family going.

Chairman Camerota: But on a Friday night, they may come in separate cars.... I think that maybe when our regulations were written that wasn't so much the case, but times have changed and now people are traveling separately.

Commissioner Hall: There's also another factor, a restaurant is one thing, but when you have a restaurant with a bar, quite often you have people who are very willing to stand, so you don't even need to sit, especially with a Happy Hour, if there's free anything, you are going to have....

Commissioner Aieta: Correct. That blows the whole formula thing to Hell. It doesn't work.

Commissioner Anest: If you go on occupancy you may get a better grasp.

Commissioner Aieta: That is something that we should look at as a.....

Commissioner Hall: I would like to see a function, because again, as I said, they may have a certain number of seats, but as I said, they are going to have a certain number of people who are going to stand.

Commissioner Aieta: And on this particular piece of property they have the shared parking with the Urgent Care and then I know those people are up in arms because they're saying that Bonefish is using all of their parking spaces and they had a guy sitting out there,

someone told me that there was a guy sitting out there saying, no, you can't park in those spots, those are dedicated to, so it's a problem, it's a problem site. Then when Firestone comes in, that might complicate it too.

Commissioner Hall: It might help too after Firestone closes they allow them to park over there.

Commissioner Aieta: You have to remember their hours of operation are until seven or so at night too. Okay, enough on that.

One other thing, on the gateway site, the Brown site, we have to have someone from the staff, maybe the Town Engineer go out. They put up the pylon sign, I don't know where I was thinking, this thing is from the ground up, it's a solid wall. It's not, I thought we were going to be able to see underneath it, but it's not, it's a solid wall that goes up, and the stop bar on Rowley Street, if you stop at that, you can't see who is coming around the corner from the Berlin Turnpike. If someone is coming down and they make the corner and someone, say like a tractor trailer was taking the corner and you're at the stop bar, you really can't see them until they are on top of you. I don't know if it's an unsafe condition or not. I stopped there a couple of times and I said, Holy Smokes, I can't see what is coming down the street, and that sign is humongous. I don't know what we can do about it now, but, you know where the stop bar is for Rowley Street, maybe the stop bar is too far back, maybe the stop bar can be moved up, but that's all state stuff, right Stanley?

Commissioner Sobieski: Yes.

Commissioner Aieta: I know that that corner, we've had some serious bad accidents. You're aware of that right, where the guy got trapped underneath the tractor, and that was the same situation, he was coming around....

Commissioner Anest: No, he was coming the other way.

Commissioner Aieta: Coming the other way and couldn't negotiate the turn and the car went underneath it.

Commissioner Sobieski: The stop bar has to be back far enough to allow radius turning for bigger vehicles, so if that is a sight issue, maybe it should be addressed by the Town.

Commissioner Aieta: Just take a look at it.

Craig Minor: I'll look into it.

Commissioner Aieta: Last thing, we denied the Pizza and Pie place, got to get the Zoning Enforcement Officer out there tomorrow and tell him to remove those monstrosities that he has in front of the place. That's got to happen.

I was talking to Ken while we were eating, and I haven't been down the turnpike in a couple of days, but Kenny is telling me that the waffle place has signs like crazy. Now they still have it on the truck and now they are driving the truck back out there with the sign on it, and.....

Craig Minor: Yes, but I can tell you that I overheard an animated conversation between Mr. Hanke and the operator of the waffle house over the signage issue this morning.

Commissioner Aieta: Okay, so he's on top of it, he's got to stay, because this operator will press it to the point where, they will have signs on other people's property if you don't stay on top of them. That's all I have and I appreciate your patience with me. Thank you.

Chairman Camerota: Any further Commissioner comments?

XIV. CLOSING REMARKS BY THE CHAIRMAN

None

XV. ADJOURNMENT

Commissioner Aieta moved to adjourn the meeting. The motion was seconded by Commissioner Camillo. The meeting was adjourned at 9:10 p.m.

Respectfully submitted,



Norine Addis,
Recording Secretary