



TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
Wednesday, September 14, 2016

Town Hall Conference Room L-101
131 Cedar Street, Newington, CT 06111

7:00 p.m.

CORRECTED A G E N D A

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL AND SEATING OF ALTERNATES
- III. APPROVAL OF AGENDA
- IV. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)
- V. ZONING ENFORCEMENT OFFICER REPORT
- VI. REMARKS BY COMMISSIONERS
- VII. PUBLIC HEARING
 - a. Petition #30-16: Zoning Text Amendment (Section 3.19B: Newington Junction TOD Overlay District). Town Plan and Zoning Commission, applicant. Continued from August 10, 2016.
 - b. Petition #33-16: Special Permit (Section 3.15.4: Drive Through Restaurant) at 3120 Berlin Turnpike (Panera Bread). Norr Architects, applicant; Newington VF LLC, owner; Bryan Slonski, 325 N. LaSalle Street, Chicago IL, contact. Continued from July 27, 2016.
 - c. Petition #38-16: Special Permit (Section 6.2.4: Free-Standing Business Signs) at 2288 Berlin Turnpike and Prospect Street. Parth Patel, owner; Hartford Sign & Design, applicant; Darin Senna, 328 Governor Street, East Hartford CT, contact.
- VIII. APPROVAL OF MINUTES
 - a. Regular Meeting of July 27, 2016
 - b. Special Meeting of August 10, 2016

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2016 SEP -9 AM 9:03

IX. NEW BUSINESS

- a. Petition #34-16: Site Plan Modification (Drive-Through Lane) at 3120 Berlin Turnpike (Panera Bread). Norr Architects, applicant; Newington VF LLC, owner; Bryan Slonski, 325 N. LaSalle Street, Chicago IL, contact.

X. OLD BUSINESS

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

- a. Petition #39-16: Special Permit (Section 6.2.4: Free-Standing Business Sign) at 800 N. Mountain Road. St. Thomas Indian Orthodox Church, owner/applicant; Anoop Mathew, 11 Welles Lane, South Windsor CT, contact.
- b. Petition #40-16: Show Cause Hearing to Revoke Special Permit #03-04 at 174 Francis Avenue. American Muscle Inc., permittee.

XII. TOWN PLANNER REPORT

- a. Town Planner Report for September 14, 2016

XIII. COMMUNICATIONS

- a. CROG Zoning Reports to Berlin, Farmington, Hartford, and West Hartford TPZ.

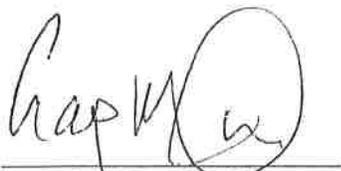
XIV. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

XV. REMARKS BY COMMISSIONERS

XVI. CLOSING REMARKS BY THE CHAIRMAN

XVII. ADJOURN

Submitted,



Craig Minor, AICP
Town Planner



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP *CM*
Date: September 6, 2016
Subject: **Petition #30-16: Newington Junction TOD Overlay District Text Amendment and Map Amendment (New Section 3.19B). TPZ, applicant/contact.**

Summary:

The Newington Junction TOD Overlay District regulation will allow smaller scale, pedestrian-oriented, mixed-use development within walking distance of the CTfastrak station. The regulation is based on the Cedar Street Station TOD Overlay District regulation adopted earlier this year by TPZ, but it reflects the very different character of the Newington Junction neighborhood.

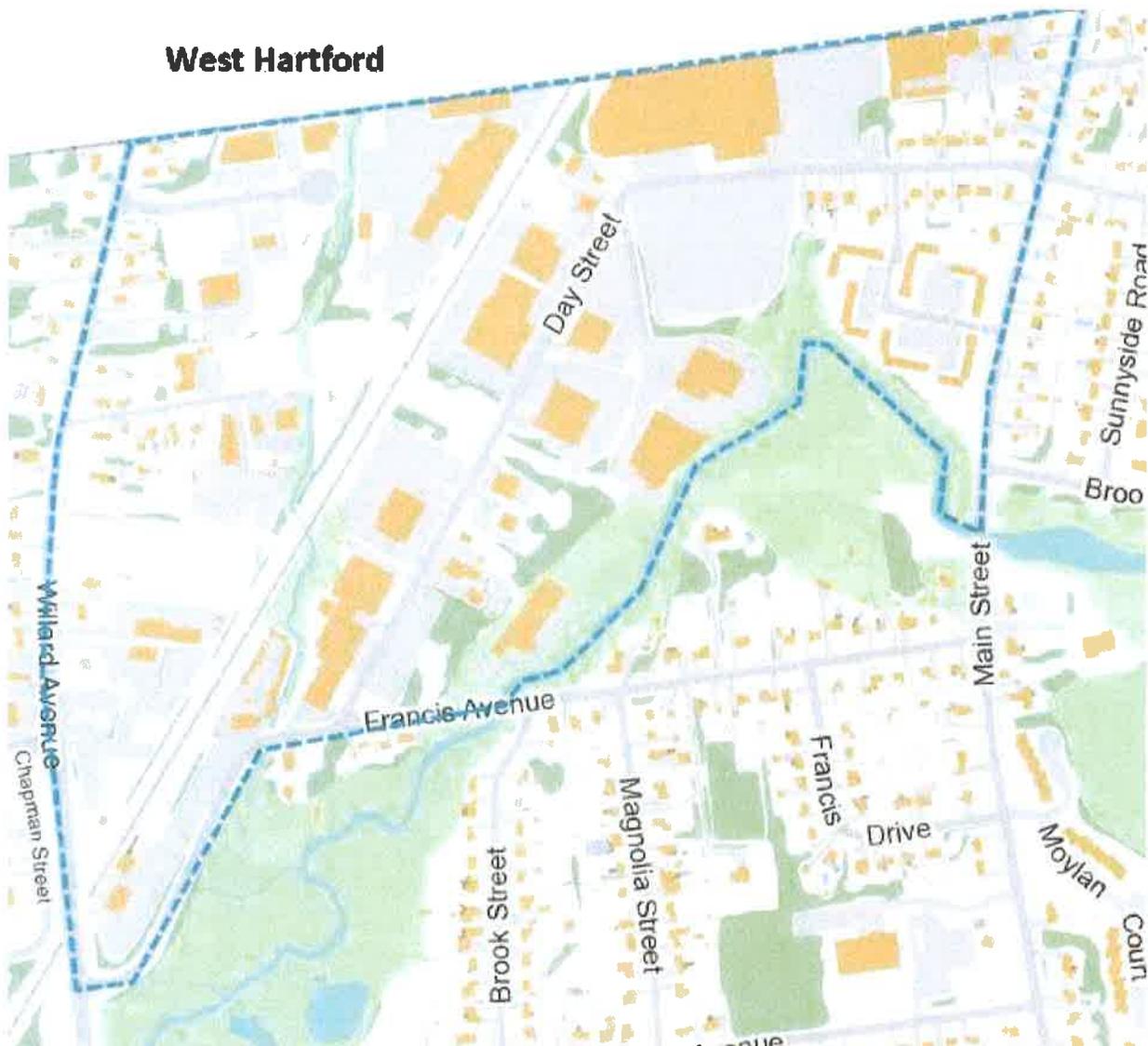
Comments:

1. At the public hearing on August 10, 2016 the following concerns were raised:
 - a. Historic houses in the district should be protected.
 - b. The "Newington Junction Transit Oriented Development Concept Memo" should not be a basis for the drafting of these regulations.
 - c. Three-to-five story buildings were mentioned more than once as being too tall. There was also some opposition to housing at ten units per acre, even though that is the density of the existing condo complex in the neighborhood on Willard Avenue.
 - d. Green space should be incorporated into all design; development should not add significant traffic; new construction should be compatible with the character of the existing neighborhood; TPZ should be mindful of the impact that new businesses would have on existing businesses in town and in the Town Center; the regulations should incent development that brings riders to Newington, not housing for those riders.

2. Many of the comments at the public hearing were from homeowners worried about mixed-use development popping up on their street.

To address this, I suggest reducing the district to exclude the homes on the west side of Willard Avenue and Francis Avenue east of Piper Brook. This would leave just the Industrial-zoned “wedge” between Willard Avenue and Day Street, plus a dozen or so houses on the east side of Willard and at the east end of Day Street, plus the Woodbridge Apartments.

Of course, this is all still very much just a draft.



cc:
file



TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Tanya D. Lane
Town Manager

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: September 6, 2016
Subject: **Petition #33-16: Special Permit (Section 3.15.4: Drive Through Restaurant) at 3120 Berlin Turnpike (Panera Bread). Norr Architects, applicant; Newington VF LLC, owner; Bryan Slonski, 325 N. LaSalle Street, Chicago IL, contact.**

Description of Petition #33-16:

The owner of this existing Panera restaurant at 3120 Berlin Turnpike has re-applied for permission to install a drive-through lane. "Drive-through" restaurants are allowed by special permit per Section 3.15.4 of the zoning regulations.

A similar request was denied in September 2014 based on safety concerns which the applicant was not able to address to the Commission's satisfaction.

Staff Comments:

The applicants have submitted revised plans that address the Town Engineer's concerns over the design width of the proposed drive-thru lane, and his comments on LID. He has no objections to approval.

My concerns with the proposed drive-thru have been addressed.

cc:
Norr Architects
Freeman Companies
Town Engineer
file



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: September 6, 2016
Re: **Petition #38-16: Special Permit (Section 6.2.4: Free-Standing Business Sign) at 2288 Berlin Turnpike. Parth Patel, owner; Hartford Sign & Design, applicant; Darin Senna, 328 Governor Street, East Hartford CT, contact.**

Description of Petition #38-16:

The applicant would like install two free-standing signs for this new medical office building. One sign would be on the Berlin Turnpike, and the other sign would be at the site entrance on Prospect Street. Section 6.2.4 permits a free-standing sign on any street which a parcel has frontage on, and two signs for a corner lot such as this one.

Staff Comments:

Due to the relative complexity of this application, and the fact that he has been working with the applicant on a comprehensive signage plan for the property, I asked Assistant Town Planner/ZEO Michael D'Amato to review the application and submit comments for TPZ's consideration. His report is attached.

Notice of this application was sent to the Town of Wethersfield in accordance with Sec. 8-7(d)(f).

cc:
file

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



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Office of Zoning Enforcement

Craig Minor, AICP
Town Planner

From: Michael D'Amato, Assistant Town Planner
Cc: Craig Minor, Town Planner
Date: August 25, 2016
Subject: **Petition #38-16: Special Permit for Free Standing Signs at 2288 Berlin Turnpike and Prospect Street. Parth Patel, Owner. Hartford Sign and Design, Applicant.**

Background:

Prior to the applicant filing his request for a Special Permit I worked with him to develop a specific signage "program" for the building and have come up with specific sign sizes that will be allocated to each tenant. The owner has indicated that signage will be called out within the tenant leases which will coordinate with the program we have developed.

In September of 2014, the applicant was granted a variance by the ZBA which reduced the 35' "no build zone" on the Berlin Turnpike to 15ft. As such, he may place his sign in what would typically be the front yard setback.

Application:

The owner would like to place a free-standing sign at their main entrance on the Berlin Turnpike which will be single sided and internally illuminated. The applicant has also agreed to "black out" the second side of the pylon sign to prevent the addition of unapproved sign faces. However, because the sign will be built double sided, should a future tenant choose to reduce their allocated wall signage in favor of adding a sign to the second side of the pylon they will be able to work with staff to do so.

The owner has also requested a second free standing sign to be placed on the Prospect Street entrance. **Section 6.2.4A** allows the Commission to grant a second free standing sign for corner lots when it finds the linear distance between two entrances is not less than 400ft. In this case, the linear distance between driveways is roughly 900ft. The sign on Prospect Street is also single sided and internally illuminated. While this is not a typical corner lot, TPZ has historically granted second pylon signs to property owners with the same situation. For example, Sam's Club/Stew Leonard's/Toys R' Us.

Comments:

The approval of the second free standing sign will help get customers to the property which reduces the number of vehicles entering the Berlin Turnpike. Based on the signage program, allowable total signage for the site and 2014 ZBA variance approval, I have no additional concerns with the application.

cc:
file

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



NA#8967

Petition # 38-16

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM



LOCATION OF PROPERTY: 2288 Berlin TnPk. ZONE: _____

APPLICANT: Hartford Sign & Design TELEPHONE: 860-293-1824

ADDRESS: 328 Governor Street, E. Htg'd. EMAIL: darin@hartfordsigndesign.com

CONTACT PERSON: Darin Senna TELEPHONE: same as above

ADDRESS: 328 Governor Street, E. Htg'd. EMAIL: same as above

OWNER OF RECORD: Dr. Parth Patel

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

- Zoning Map Change from the _____ to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section _____. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section 6-2.4 of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required) Signs
- Site Plan Approval or Modification
- Other (describe in detail, or attach) _____

SIGNATURE:

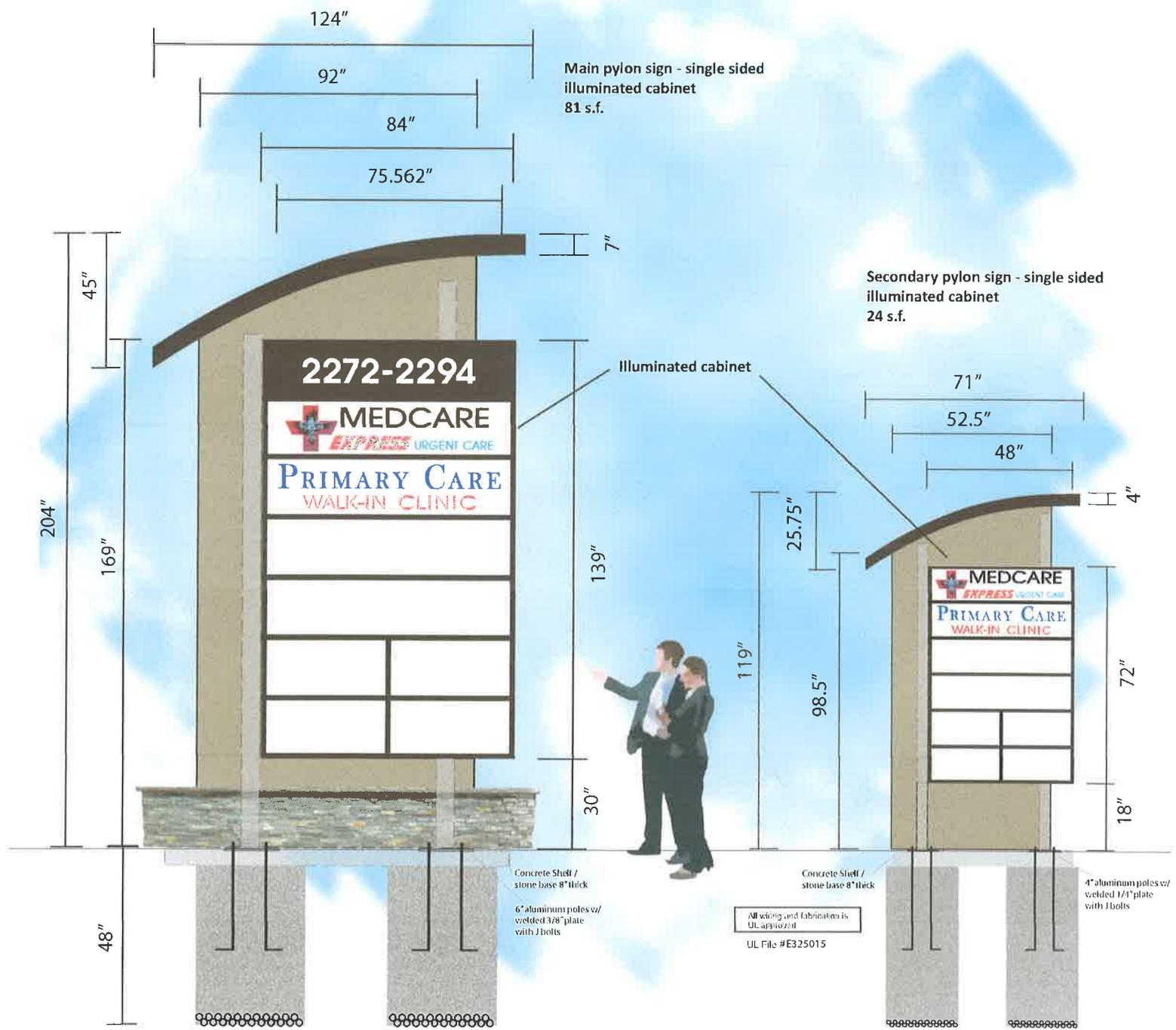
	<u>7/21/16</u>		<u>7/21/16</u>
APPLICANT	DATE	OWNER	DATE

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

NOTE: PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SIGN PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE ECONOMIC DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

Signature required to begin production

Date



CLIENT:	CONTACT:	DATE:	SPECS:
Medcare_Express	Dr. Parth Patel	5-18-16	Qty. 1 each, 1-sided
PROJECT NAME:	WORK PHONE:	START:	Illuminated pylon sign
exterior / storefront	860-757-3575	-	
PROJECT LOCATION:	CELL PHONE:	LAST REVISION:	
2288 Berlin Tnpk. Newington, Ct.	860-878-1093	7-19-16	
CLIENT ADDRESS:	EMAIL:	DUE:	
	ppatel@fastmedcare.com	-	
			FILE NAME: Medcare_Express_newington_ext_pylon_qrt_scl_v3_town_proof_HSD

APPROVALS Date: _____

Customer _____

Deposit Paid _____

Land Lord _____

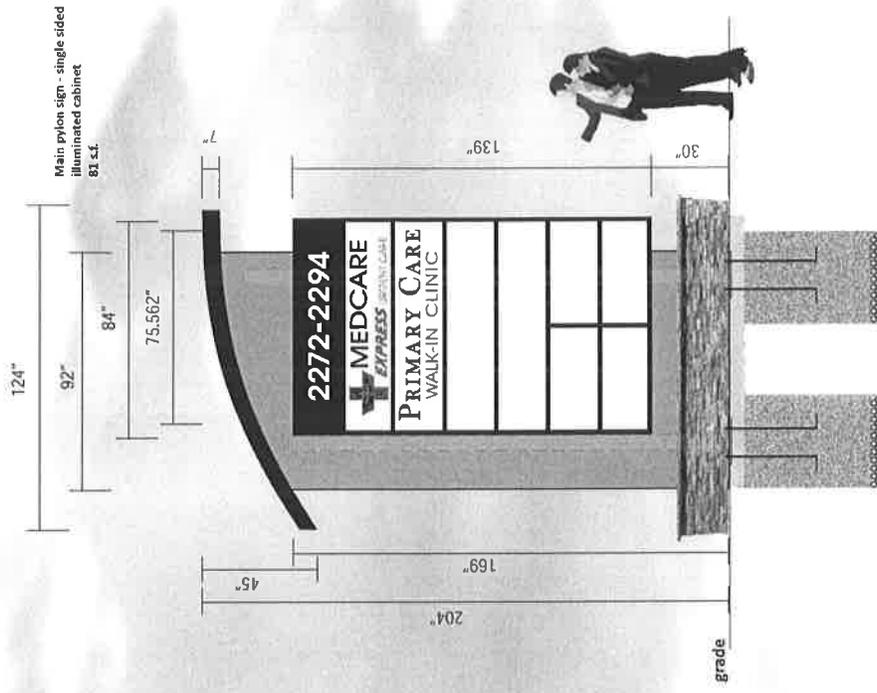
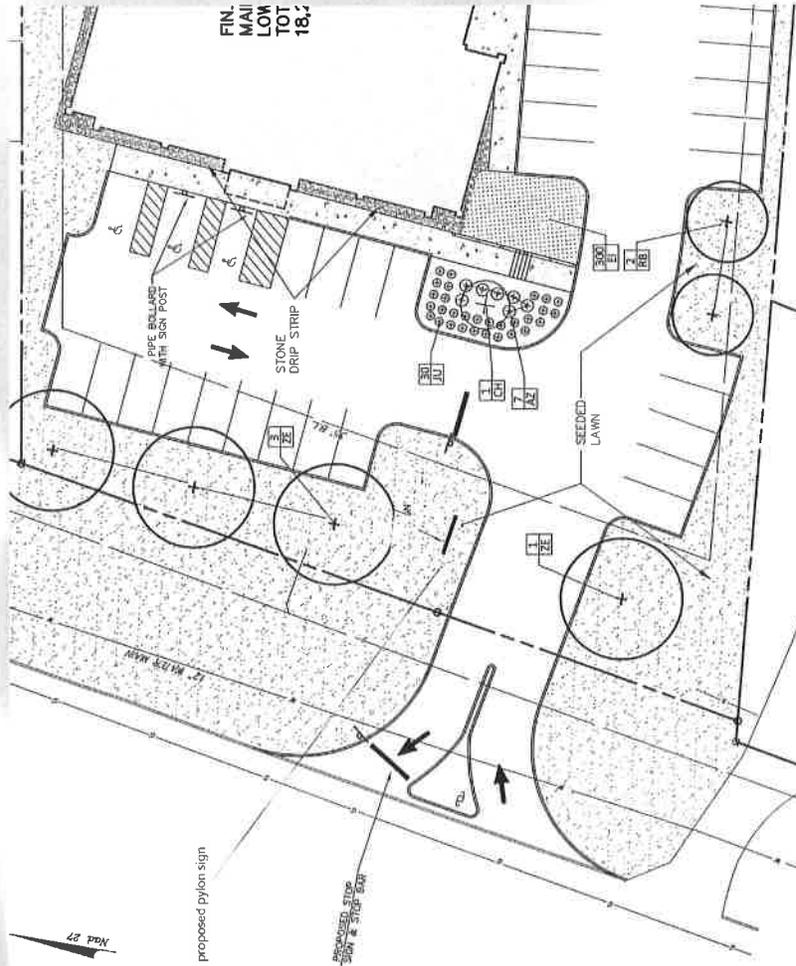
Town _____

Signature required to begin production

Date: _____



Turnpike Pylon Entrance



CLIENT: Medicare Express
PROJECT NAME: exterior / pylon / plot plan
PROJECT LOCATION: 2288 Berlin Tmpk. Newington, Ct.
CLIENT ADDRESS:

CONTACT: Dr. Parth Patel
WORK PHONE: 860-757-3575
CELL PHONE: 860-878-1093
EMAIL: ppatel@fastmedcare.com

DATE: 7-18-16
START:
LAST REVISION:
DUE:

SPECS:

U.S. REGISTERED COPYRIGHT DESIGN STAMP
 © 2007-2016 Hartford Sign & Design
 These images are the Property of Hartford Sign & Design. They are Provided for Customer Viewing only until Project is Awarded and Receipt of Deposit. Any other use is Legally Forbidden. Rights maybe Purchased for a minimum fee of \$500.

FILE NAME: Medicare_express_newington_ext_pylon_plotplan_scl_proof_v3_HSD.ai



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: September 6, 2016
Subject: **Petition #34-16: Site Plan Modification at 3120 Berlin Turnpike (Panera Bread). Norr Architects, applicant; Newington VF LLC, owner; Bryan Slonski, 325 N. LaSalle Street, Chicago IL, contact.**

Description of Petition #34-16:

The owner of this existing Panera restaurant at 3120 Berlin Turnpike has re-applied for permission to install a drive-through lane, which requires a special permit. This application is for approval of the site plan itself.

Staff Comments:

As I reported in my memo to TPZ on the associated special permit application, the applicants have addressed the Town Engineer's concerns with the design of the drive-thru lane and LID, as well as my concerns.

cc:
Norr Architects
Freeman Companies
Town Engineer
file

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



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: September 8, 2016
Re: **Petition #39-16: Special Permit (Section 6.2.4: Free-Standing Business Sign) at 800 North Mountain Road. St. Thomas Indian Orthodox Church, owner/applicant; Anoop Mathew, 11 Welles Lane, South Windsor CT, contact.**

Description of Petition #39-16:

The applicant would like install a two-sided free-standing sign at the entrance to their new church at 800 North Mountain Road.

Staff Comments:

The application is substantially complete. I recommend the public hearing be scheduled for the next meeting on September 28, 2016.

cc:
file

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



CK# 1150

Petition # 39-16

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 800 N. Mountain Rd. ZONE: _____

APPLICANT: St. Thomas Indian Orthodox Church TELEPHONE: _____

ADDRESS: 800 N Mountain Rd Newington CT EMAIL: _____

CONTACT PERSON: Anoop Mathew TELEPHONE: 860-534-0747

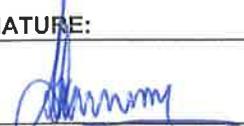
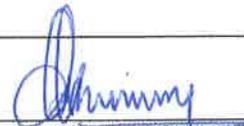
ADDRESS: 11 Welles Lane, S. Windsor, CT 06074 EMAIL: anoop-mathew@hotmail.com

OWNER OF RECORD: St. Thomas Indian Orthodox Church

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

- Zoning Map Change from the _____ Zone to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section _____. *A copy of the proposed amendment and the reason for amendment is attached* (Public Hearing required).
- Subdivision (4 sets of plans 24" x 36", and 10 sets of plans 12" x 18").
- Resubdivision (Public Hearing required). (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Special Exception per Section 6.2.4 of the Zoning Regulations. *Explanation of the proposed activity is attached* (Public Hearing required).
- Site Plan Approval or Site Plan Modification (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Other (describe in detail, or attach): _____

SIGNATURE:

	<u>8/2/2016</u>		<u>8/2/2016</u>
APPLICANT-	DATE	PROPERTY OWNER	DATE

INCOMPLETE APPLICATIONS WILL NOT BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES, BUT IS NOT LIMITED TO: APPLICATION FORM; APPLICATION FEE; SITE PLANS (IF APPROPRIATE) SHOWING LID; WATERSHED ANALYSIS (FOR SITE PLANS); NARRATIVE DESCRIPTION (IF APPROPRIATE).

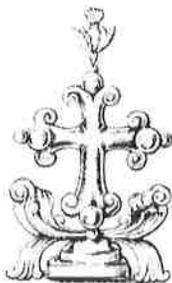
NOTE: PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE ECONOMIC DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

Explanation of the Proposed Activity

The St. Thomas Indian Orthodox Church is requesting permission to place a free standing double sided sign at the entrance of the property at 800 North Mountain Road. Though not immediately planned, at some time in the future the sign may be illuminated with ground lighting.

The dimensions of the sign are approximately 6'x 4' raised 18" above ground with a total square footage of approximately 20 sq. ft per side or 40 sq. ft. total. The building has linear frontage of 50 feet. Detailed drawings of the sign are attached.

The sign will be placed approximately 14.5' from street curb (1' from the street right of way line) and 8' from driveway.



St. Thomas Indian Orthodox Church

10 LANTERN HILL, NEWINGTON, CT 06111

August 2, 2016

Town of Newington
Town Plan and Zoning Commission
131 Cedar Street
Newington, CT 06111-2644

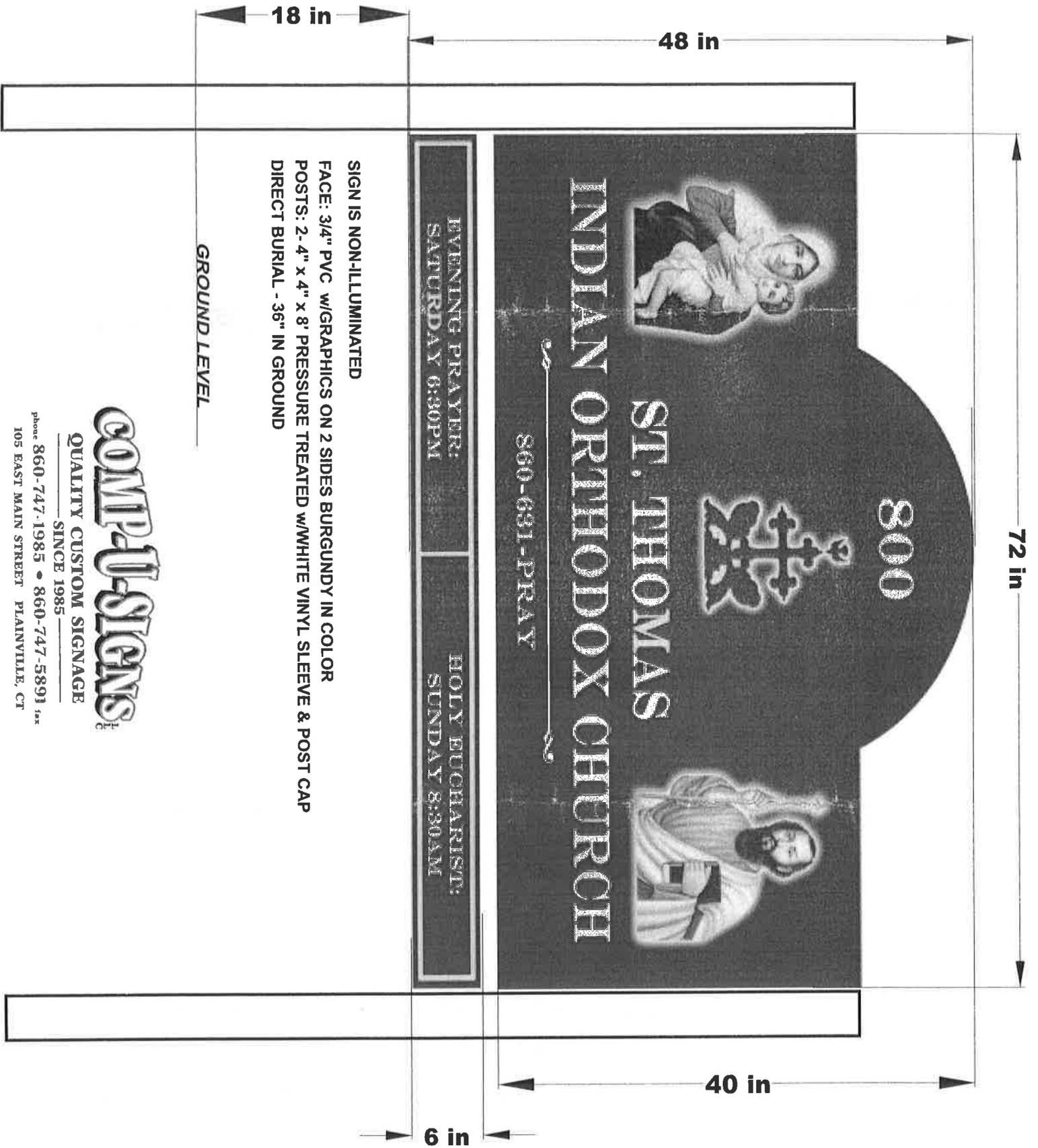
Dear TPZ Commission Members,

Please find attached an application for a special exception request to place a sign for the property at 800 North Mountain Road.

Thank you in advance for your kind consideration.

Sincerely yours,

Anoop Mathew
(on behalf of Rev. Fr. Abraham Philip, St. Thomas Indian Orthodox Church)

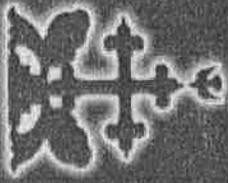


72 in

48 in

18 in

800



ST. THOMAS
INDIAN ORTHODOX CHURCH

860-631-PRAY

EVENING PRAYER:
SATURDAY 6:30PM

HOLY EUCHARISTY:
SUNDAY 8:30AM

SIGN IS NON-ILLUMINATED

FACE: 3/4" PVC w/GRAPHICS ON 2 SIDES BURGUNDY IN COLOR

POSTS: 2-4" x 4" x 8' PRESSURE TREATED w/WHITE VINYL SLEEVE & POST CAP

DIRECT BURIAL - 36" IN GROUND

GROUND LEVEL

40 in

6 in

COMP-U-SIGNS
i

QUALITY CUSTOM SIGNAGE

SINCE 1985

phone 860-747-1985 • 860-747-5891 fax

105 EAST MAIN STREET PLAINVILLE, CT

NORTH MOUNTAIN RD

LIMIT OF PROPOSED PERMANENT ACCESS

Street Right of Way
Approx. 13.5'

Approximate Street Line
42.67m± (140'0"±d)

**Location of sign
1' from street line
14.5' from curb
8' from driveway**

BIT LOT

LIMIT OF PROPOSED PERMANENT ACCESS

**BUILDING
800**

OD

HN A.
RAINAGE

FOR
S.N.E.T.

VT FOR
CNG

VT
OR
727

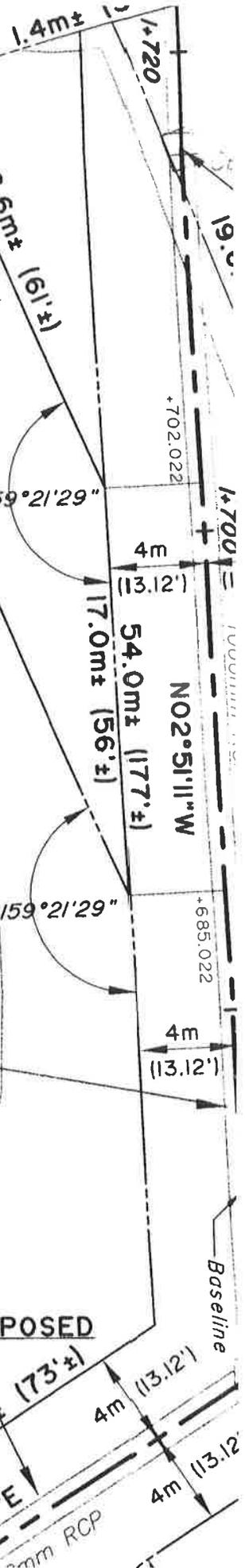
76.20m± (250'0"±d)
Approximate Property Line

**CLEAN
PIPE**

**LIMIT OF PROPOSED
D.R.O.W.**

ANGLE PT.

**STA: 1+636.055
N 251123.000**



1.4m±

1.720

19.0'

18.6m± (61'±)

6.0m± (20'±)

8'

35.0m± (115'±)

159°21'29"

4m (13.12')

17.0m± (56'±)

54.0m± (177'±)

NO2.5111"W

+702.022

+685.022

4m (13.12')

Baseline

22.3m± (73'±)

4m (13.12')

4m (13.12')

300mm RCP

15°28'37"E

B.C.T.C.



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: September 7, 2016
Re: **Petition #40-16: Show Cause Hearing to Revoke Special Permit #03-04 at 174 Day Street. American Muscle Inc., permittee.**

Description of Petition #40-16:

A written complaint signed by several dozen Newington Junction residents was recently submitted, alleging that the above-referenced permittee is in substantial violation of their special permit to operate a used car dealership. The Chairman and I discussed the situation and it was felt that TPZ should consider revoking the special permit.

Prior to revoking any permit, the TPZ must conduct a hearing where the reasons for revoking the permit are presented and the permittee is given the opportunity to rebut those reasons. As with any public hearing, members of the public will be allowed to speak.

I recommend the public hearing be scheduled for the next meeting on September 28, 2016. Notice of this public hearing will be sent to the permittee in a timely manner.

Staff Comments:

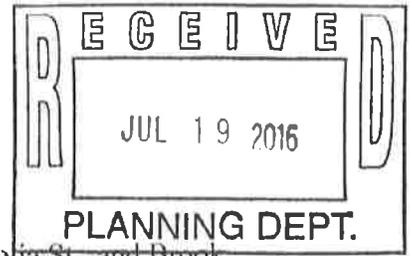
See attached memo listing the permit violations.

cc:
file

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

Petition of Concern

Re: 174 Francis Avenue (aka Cashway Motors)



We the under signed, as residents of Francis Ave., Francis Dr., Magnolia St., and Brook St. in the town of Newington, CT, are concerned with the condition of the above property as it has become an eyesore and the following reasons:

- o Storage of motor vehicles outside of the fenced property line
- o Storage of motor vehicles that may have liquids that can leak out and contaminate the area wetlands
- o Buildings that are in disrepair or have collapsed
- o Possible fire hazard due to the inability for fire apparatus to enter the property
- o Lowering of property values due to the blighted condition of the property

We request that the town address these issues with the owner and rectify these issues in a timely manner before a serious event occurs.

Peter Hoffman	32 Francis Ave
Dan Chasman	44 Francis Ave
[Signature]	56 Francis Ave
[Signature]	56 Francis Ave
Blanca Martel	8 FRANCIS AVE.
Nancy Martel	8 FRANCIS AVE
Jorge Aragon	26 Francis Ave.
[Signature]	11 Francis Ave
[Signature]	14 FRANCIS AVE
[Signature]	20 FRANCIS AVE
Ekhar Sanyal	64 Francis Ave.
Marilyn Connor	72 Francis Ave
Alfred Eator	82 Francis Ave.
Steph Hurd	85 FRANCIS AVE
Kathleen	101 FRANCIS AVE
Margaret Sweet	137 Francis Ave
Angela Mur	141 Francis Ave
[Signature]	101 FRANCIS AVE
[Signature]	33 Francis Ave
[Signature]	71 FRANCIS DRIVE
[Signature]	71 FRANCIS Dr.
[Signature]	21 Francis Dr.
[Signature]	93 Francis Ave.
[Signature]	20 Brook St.
[Signature]	21 Magnolia St.



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

Craig Minor, AICP
Town Planner

Memorandum

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: September 7, 2016
Subject: **Town Planner Report for September 14, 2016**

1. Open Space Zone regulations:

At TPZ's request, I drafted a change to the PL Zone regulations to discourage the development of Town-owned parks and other Town-owned open space. See attached. It is designed to prevent the kind of development that TPZ wants to prevent, but without making all of the existing ballfields and Town-owned buildings non-conforming.

As you know there is no way to prevent future Town Councils from ignoring this regulation and constructing government office buildings on park land it wants to. But if TPZ were to change the zone of all parks and open space from whatever it currently is to PL zone, it would effectively prevent future Town Councils from selling any of this land, because no one would want to buy it since the PL zoning would still be in place, and prohibit them from developing it.

2. "Amara Amendment":

As I reported at the last meeting, I reviewed the minutes from the "Amara Amendment" public hearing and post-hearing discussion. The consensus was to "approve with modifications" the greater height by allowing it in just the B-BT zone, and some Commissioners also wanted to limit the greater number of beds (density) to just the B-BT zone, it was not in the motion. When I wrote the Draft Suggested Motion I included "approve with modifications" language about the greater height, but I did not for the bed density because when I drafted the DSM prior to the meeting I had not been asked to. Nobody said anything about changing the motion when it was read and discussed, so the application got approved as written.

Bel-Air Manor did not base their recent site plan modification on the greater density. If TPZ amended the amendment now, it would not create any non-conformity for anybody. Let me know and I will get started on that.

3. Bed and Breakfast: At the last TPZ meeting the Commission made a “finding” that bed and breakfasts of any kind (real ones as well as “AirBNB”) are not allowed under the zoning regulations. However, since that meeting was technically a special meeting and this was not on the agenda, the vote was not valid. So, we need to do it again. I have prepared a draft motion for you to use.

cc:
file

PL (Public Land) Zoning Regulations

(text to be deleted is shown in ~~bold strike-through~~;
text to be added is shown in bold underline)

Section 3.21 Uses Permitted in PL Public Land Zones

In PL (Public Land) zones, land and buildings may be used and buildings may be altered or erected to be used for the following purposes and no other. **Any property not in a PL zone that is proposed to be placed in a PL zone must be owned by a governmental unit, a department of a governmental unit, or a private or semi-private owner who furnishes a public service or utility.**

3.21.1 Permitted Uses:

~~Lands and buildings owned by a governmental unit, a department of a governmental unit, or a private or semi-private owner who furnishes a public service or utility;~~

A. Passive recreation and other similar open space-type activities.

B. and any Any use which may be permitted in the charter of the owner, provided that industrial, business and/or residential uses shall be limited to and used exclusively by and for the requirements of the owner. ~~All other uses are prohibited.~~

3.21.2 Special Permit Uses:

A. Lands and buildings owned by a governmental unit, a department of a governmental unit, or a private or semi-private owner who furnishes a public service or utility;

B. Active recreation and other similar open space-type activities.

3.21.3 Procedure

A. Before a lot or parcel of land in a PL Zone may be used or a building erected, altered or changed in use, a Site Development Plan must be approved in accordance with this Section as well as Section 5.3.

B. Any application for change to a PL Zone must be accompanied by an application for Site Development Plan approval in accordance with Section 5.3. The Commission will consider both applications simultaneously, within the appropriate public notice and scheduling procedures.

3.21.4 Buffer

No parking or loading shall be located within 25 feet of a residential zone boundary. When the zone boundary follows the centerline of the street right of way the 25 foot buffer shall be measured along the non residential side of the street right of way. A buffer meeting the requirements of Section 6.10 is required whenever the use adjoins a residential zone. However, the Commission may waive this requirement in part for good cause. The reasons for any such waiver shall be made a part of the Commission record pursuant to Section 6.10.5(c).

PL (Public Land) Zoning Regulations

(text to be deleted is shown in ~~bold strike through~~;
text to be added is shown in **bold underline**)

3.21.4 Utilities

All electric and telephone utility installations shall be located underground, excepting required or necessary lights standards, etc.

3.21.5 Sidewalks

Sidewalks shall be installed along the frontage of public streets according to the Town of Newington standards.

