



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

Craig Minor, AICP
Town Planner

Memorandum

To: Town Plan and Zoning Commission
From: Craig Minor, Town Planner *CM*
Date: September 20, 2013
Re: **Town Planner Report of September 25, 2013**

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

a. Outside Chairs at 1125 Willard Avenue: I explained to the owner that since his request for outside seating has been denied, he is in violation of the zoning regulations. If they are not removed by the date of the TPZ meeting, I will direct the ZEO to issue a Notice of Violation.

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

3. **Status of the "Modern Tire" Appeal:** Nothing new to report.

4. **Newington Junction TOD Planning:** The TOD Committee has not met since my last report.

5. **"Low Impact Development" Regulations Project:** The LID Committee has not met since my last report.

6. **Revision to Sign Regulations:** The Sign subcommittee has not met since my last report.

7. **St. Mary's Knanaya Church on Russell Road in Wethersfield:** I attended the Wethersfield P&Z meeting last week. The P&Z discussed the application in some detail with the applicant's consulting engineer. The church will be 5,460 s.f. with 56 parking spaces on Russell Road. The applicants said that they have about 43 families, and there would be only the normal Sunday morning services and on major holidays (i.e. Easter week). They expect some of their members will arrive or leave via Arrow Road to avoid the intersection at Russell Road and East Cedar Street. No social gatherings will be conducted in the assembly hall. The P&Z closed the hearing, and approved the application.

cc:
file

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



NEWINGTON TOWN PLAN AND ZONING COMMISSION

REGULAR MEETING and PUBLIC HEARING
Wednesday, September 25, 2013

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

7:00 p.m.

A G E N D A

I. ROLL CALL AND SEATING OF ALTERNATES

II. APPROVAL OF AGENDA

III. PUBLIC HEARING:

- a. Petition #44-13: Special Exception (Section 3.2.5: Convalescent or Nursing Home) at 212² Main Street. Middlewoods of Newington, owner/applicant; David Lawler, 580 Long Hill Avenue, Shelton CT, contact. Continued from September 11, 2013.
- b. Petition #51-13: Special Exception (Section 3.2.9: Child Care) at 82 Candlewyck Drive. Agnieszka Kaim, 82 Candlewyck Drive, Newington CT, owner/applicant/contact. Continued from September 11, 2013.
- c. 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.

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

V. REMARKS BY COMMISSIONERS

VI. MINUTES:

- a. September 11, 2013

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.
- b. Petition #47-13: Zoning Text Amendment (New Section 6.15: Medical Marijuana). Town Plan and Zoning Commission, applicant.
- c. Performance Bond Reduction Request #3 for "Victory Gardens" on Veterans Drive.

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2013 SEP 18 A 11:45

By *Tanya D. Lawler*
TOWN CLERK

VIII. OLD BUSINESS:

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING:

X. TOWN PLANNER REPORT

a. Town Planner Report for September 25, 2013

XI. COMMUNICATIONS

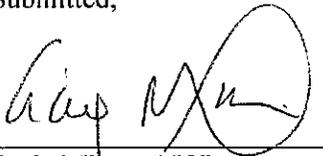
XII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

XIII. REMARKS BY COMMISSIONERS

XIV. CLOSING REMARKS BY THE CHAIRMAN

XV. ADJOURNMENT

Submitted,

A handwritten signature in black ink, appearing to read "Craig Mihor", written over a horizontal line.

Craig Mihor, AICP
Town Planner

STAFF REPORT
Modification to Middlewoods Assisted Living Facility

September 18, 2013

Petition #44-13:

Special Exception (Section 3.2.5: Senior Independent Living Facility)
2125 Main Street
Middlewoods of Newington Inc, applicant

Description of Petition #44-13:

The owners of this assisted living facility would like to increase the floor area of the building by constructing a 4750 s.f. addition within the existing interior courtyard. Any substantial change to an existing Special Exception activity requires a public hearing and a revised Special Exception. The applicants have also submitted site plans for TPZ review and approval as Petition #43-13.

Staff Comments:

This expansion will result in four additional studio apartments and two more one-bedroom units; an additional dining area; an activity room with seating for 50 persons; a physical therapy room; and two nurses offices, a wellness office, and an examining room. There will be no change to the exterior appearance of the building nor to the parking area.

At the public hearing the abutting neighbor to the north raised several issues:

1. A landscaped berm. I have reviewed the original site plan (copy attached) from 1997, and as you can see from the contour lines, no berm is shown.
2. Parking in the rear of the building. As you can see from the above plan, parking spaces were approved.
3. Parking spaces on the side of the driveway. These spaces were not shown on the 1997 plan. At the meeting the applicant's engineer stated that the Fire Marshal has approved them, but that doesn't resolve whether TPZ ever approved them. The COA (attached) states that "The applicant has shown on a separate plan sheet that 12 additional parking spaces could be provided...". It's possible these 7 spaces were part of those 12, and that at some time between 1997 and today TPZ directed them to be added. The "separate plan sheet" is no longer in the files. I will see if I can find any record of this.
4. Noisy trash pickup: I believe the applicants will address this at the meeting on September 25.

cc:
Middlewoods of Newington
file



TOWN OF NEWINGTON

Town Hall • 131 Cedar Street, Newington, Connecticut 06111
Central Telephone (860) 665-8500
Department Telephone (860)
Department Fax No. (860) 665-8575
665-8577

Office of The Town Planner

CERTIFICATE OF ACTION

TO: Mr. Andrew E. Kearns
Abbington Development LLC
24 Arapahoe Road
West Hartford, CT 06107

DATE: May 19, 1997

SUBJECT: PETITION 5-97 Northwest corner Main/Louis Street, Assessor's Map SE #1610, Abbington Development, LLC 24 Arapahoe Road, West Hartford, CT 06107 represented by Andrew E. Kearns applicant; RG Schaller Management Co. LLC owners, request Special Exception Section 3.19.2 for residential use Senior Living Facility, PD Zone.

At a meeting held May 14, 1997, the Newington Town Plan and Zoning Commission voted to approve the above referenced PETITION subject to the following findings and conditions:

A. Findings

1. The Commission finds that this proposed use is for specialize housing for frail but independent seniors who will be provided meals and other support services in a congregate settings. This age group is a growing segment of our population.
2. The proposed low intensity residential use of this corner property is compatible with, and creates an appropriate transition, between two different zones and between low and medium residential land use and commercial uses along the Berlin turnpike.
3. The applicant, through the site and architectural plans and presentations to the Commission, has demonstrated that the proposed use complies with the criteria of Section 3.19.2 for residential use within the PD Zone District.

B. Conditions

1. Pursuant to Section 5.2.7 of the Zoning Regulations this Special Exception approval is granted for the development of a 54 unit senior living facility. No change of use shall be permitted without the prior approval of the Commission.

2. The applicant has shown on a separate plan sheet that 12 additional parking spaces could be provided. The Commission will monitor the parking requirements for this use and reserves, as a condition of approval, the right to require these spaces if it determines they are needed. Any additional parking spaces located within the 100' wetland buffer shall first be approved by the Conservation Commission.

Certified by:



Edmund J. Meehan
Town Planner

EJM:bjs

This Special Exception will not become effective until this Certificate of Action is filed by the applicant on the Land Records of the Town of Newington.

N82°19'21"E
8.94'

180.85'

N87°54'46"E

179.77' TO EASEMENT

N87°54'46"E
1.08'
SIDEWALK EASEMENT

CHD.
MONUMENT
FOUND

WATER
MARKS

GAS
MARKS

SID
IN
TOW

SNET
#129

HYD.

W.G.

M.H.

C.B.

MAIN

N09°42'26"W

FLOW

LT.

81.3'

S09°42'26"E

396.88'

SIGN

349.29'

ROOF
OVER ENTRANCE

LT.

C.B.

C.B.

LT.

WALK

PROPOSED
2-STORY
ADDITION

ROOF
OVER PATIO

LT.

C.B.

M.H.

LT.

RAILING

LT.

M.H.

WANG

STAFF REPORT
Family Daycare at 82 Candlewyck Drive

September 18, 2013

Petition #51-13
Special Exception (Section 3.2.9: Child Care)
82 Candlewyck Drive
Agnieszka Kaim, owner/applicant/contact.

Description of Petition #51-13:

This petition is to operate a family daycare at the residence at 82 Candlewyck Drive. Section 3.2.9 allows daycare in any zone by special exception.

Staff Comments:

The applicant would like to operate a family daycare in her residence at 82 Candlewyck Drive. She intends to care for up to six children between the ages of 2 and 5.

At the last meeting the TPZ commissioners asked for more information on the site, and the surrounding neighborhood. I obtained the attached aerial photos from the Town's GIS files, and the attached contour map.

The lot appears to be significantly encumbered with formal landscaping and a swimming pool. The front yard is relatively steep. The applicant stated in her letter that children would access the home from the side street, but there does not appear to be a path or walkway. There is no sidewalk on that side of Salem Drive.

The applicant came to my office the day after the meeting last week to discuss her application. I was not available to meet with her at that moment. She has not contacted me since then.

cc:
Applicant
file



Markup Line

Markup Polygon

Neighboring Towns

Parcels

2009 Color Aerial Photo

Red: Band_1

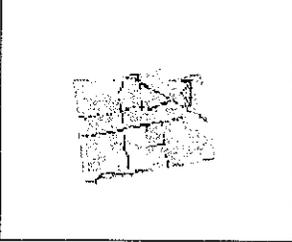
Green: Band_2

Blue: Band_3



Town of Newington, CT
Dept. of I.T.
GIS Services
131 Cedar St.
Newington, CT 06111

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Markup Line

Markup Polygon

Neighboring Towns

Parcels

2009 Color Aerial Photo

Red: Band_1

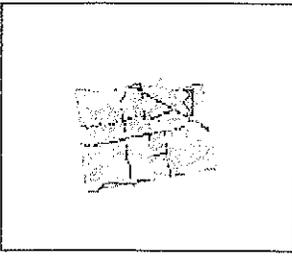
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Blue: Band_3



Town of Newington, CT
 Dept. of I.T.
 GIS Services
 131 Cedar St.
 Newington, CT 06111

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STAFF REPORT
Free-Standing Sign for Santander

September 18, 2013

Petition #52-13:

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

3237 Berlin Turnpike ("Santander")

National Sign Corporation, applicant

Description of Petition #52-13:

The applicant would like to remove the existing "Sovereign Bank" sign, pylon and foundation, and replace it with an entirely new free-standing sign reflecting the new corporate owner. Section 6.2.4 allows such signs in any non-residential zone by special exception.

Staff Comments:

The existing sign is slightly larger than the proposed sign, but I have asked the ZEO to confirm that it does not exceed the total amount of signage allowed for this building.

I have no other comments.

cc:
file

ck# 1684

Petition # 52-13



TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION
APPLICATION FORM

LOCATION OF PROPERTY: 3237 Berlin Tpke ZONE: PD

APPLICANT: National Sign Corp TELEPHONE: 860 829 9060

ADDRESS: 780 Four Rd, Berlin Ct 06037 EMAIL: _____

CONTACT PERSON: Tracy Becker TELEPHONE: 203 623 9745

ADDRESS: 43 Mariot Cir, Wallingford 06492 EMAIL: tracy@thebeckers.com

OWNER OF RECORD: Rockledge Properties

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

- Zoning Map Change from the _____ to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section _____. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per Section 6.2.4 of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
- Site Plan Approval or Modification
- Other (describe in detail, or attach): _____

SIGNATURE:

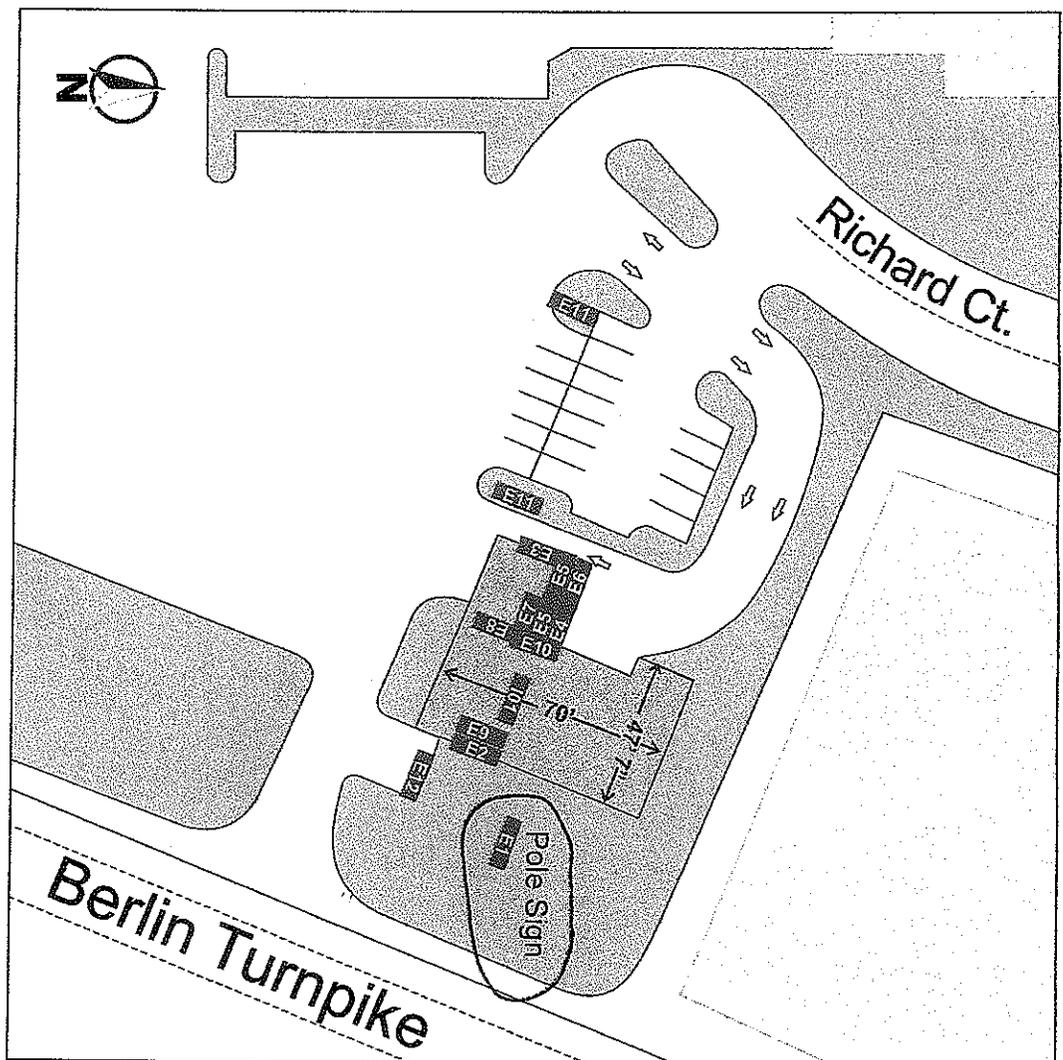
<u>Tracy Becker</u> APPLICANT	<u>8/27/13</u> DATE	<u>Tracy Becker</u> OWNER	<u>8/27/13</u> DATE
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COMPLETE APPLICATIONS SUBMITTED TEN DAYS BEFORE THE NEXT TPZ MEETING WILL BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES THE APPLICATION FEE, TWELVE SETS OF PLANS (IF APPROPRIATE) AND A SEPARATE NARRATIVE EXPLANATION OF THE PETITION (IF APPROPRIATE).

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

Santander - 3237 Berlin Tpk

Orientation - Existing signage Distribution Map



New pylon location is same as existing pylon.

Key	Sign	Sq. Ft.
E01	Pylon	56.0
E02	Wall Cabinet	24.25
E03	Channel Letters	22.0
E04	Directional	-
E05	Clearance Panel	-
E06	Directional	-
E07	Drive-Up ATM	-
E08	ATM Surround	-
E09	Door Vinyl	-
E10	Drive-Up Vinyl	-
E11	Parking Sign	-
E12	Handicapped Sign	-
E13	Network Panel	-
I01	ATM Header	-



707 W. Spring Garden St.
 Palmyra, NJ 08065
 T : 856.829.1480
 F : 856.829.8549
 www.philadelphiasign.com

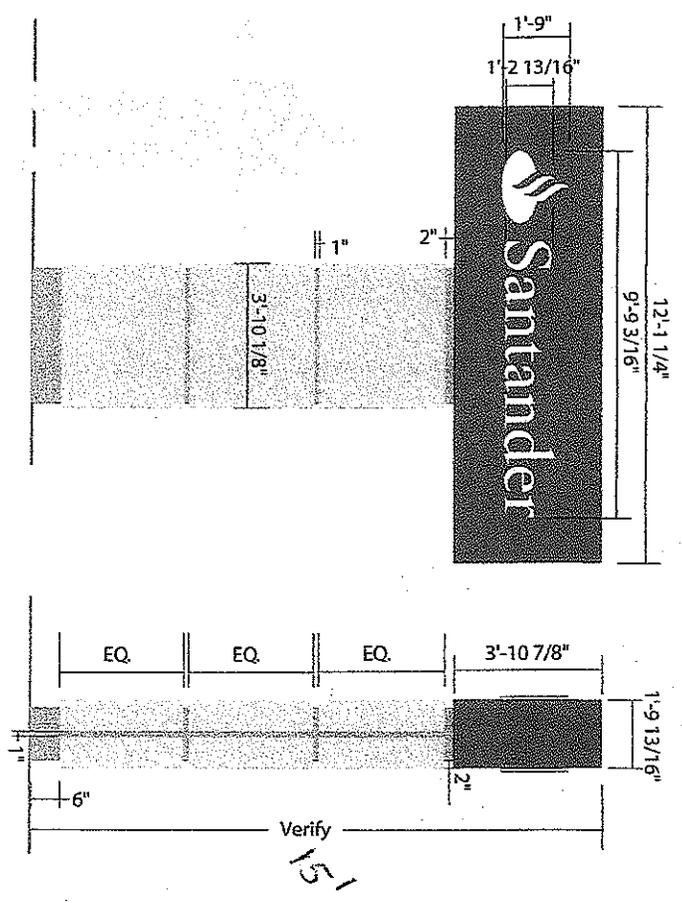
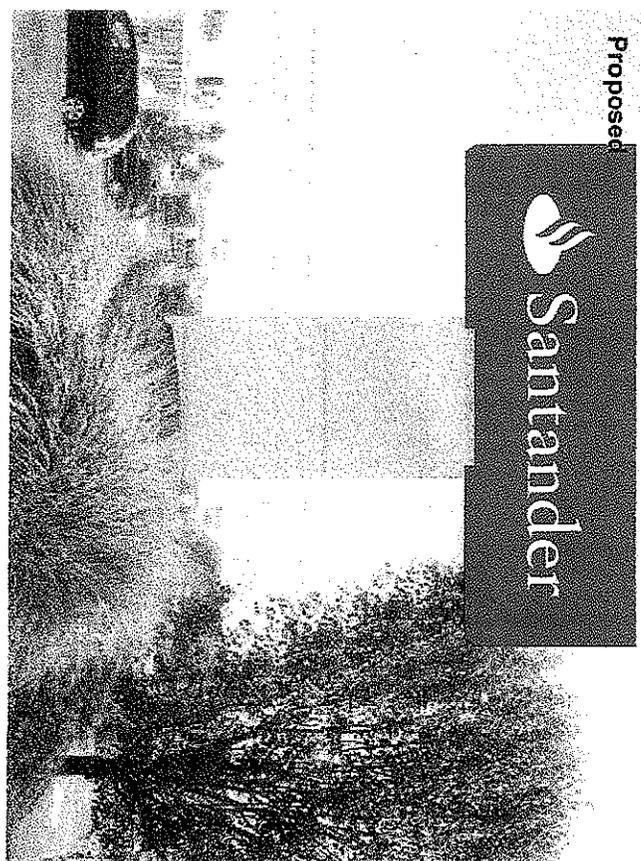
Project Manager : RMS
 Designer: AFR
 08/8/13 Revised Page 2
 08/20/13 Revised E02, E11
 DRW
 DRW

Drawing # : A17800
 PID # : 0509-00

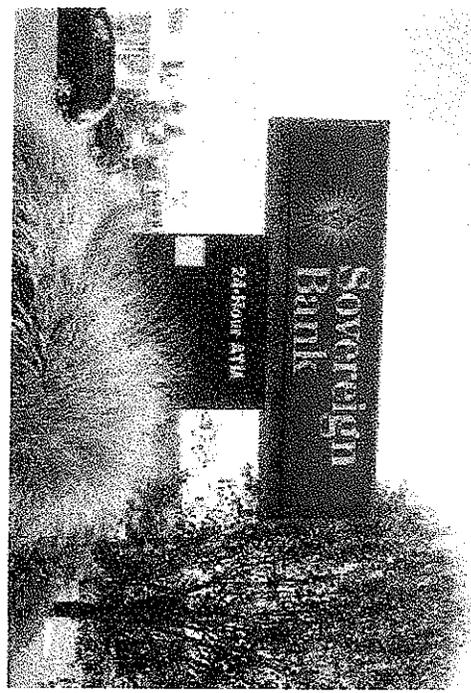
Branch: Newington South
 Address: 3237 Berlin Turnpike
 Date: 04/04/2013

Recommendation: E01 - PY-H-15

Proposed



Existing



Remove existing 56.0 sf pylon and replace with new 47.2 sf pylon.

FRONT ELEVATION

Scale: N.T.S.

- Recommendation
- Recommended Action: Remove/Replace
- Sign Type: Illum. Pylon Sign
- Model#: PY-H-15
- Sign Type Description: Illuminated D/F Pylon Sign
- Square Footage: 47.2 SF
- Signage Copy: (Logo) Santander
- Comments: ETC:

SIDE ELEVATION

Scale: N.T.S.

Project Manager: RMS
 08/19/13 Revised Page 2
 08/30/13 Revised E02, E11

Designer: AFR
 DRM
 DRM

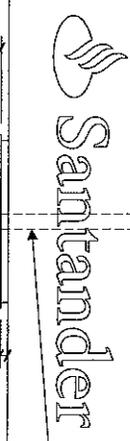
Drawing #: A17800
 PID #: 0509-00

Branch: Newington South
 Address: 3237 Berlin Turnpike
 Date: 04/04/2013



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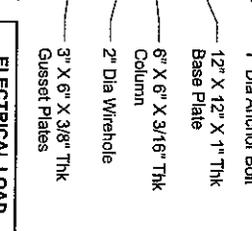
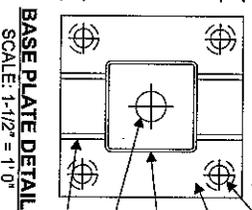
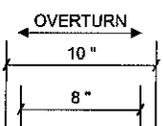
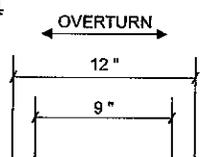
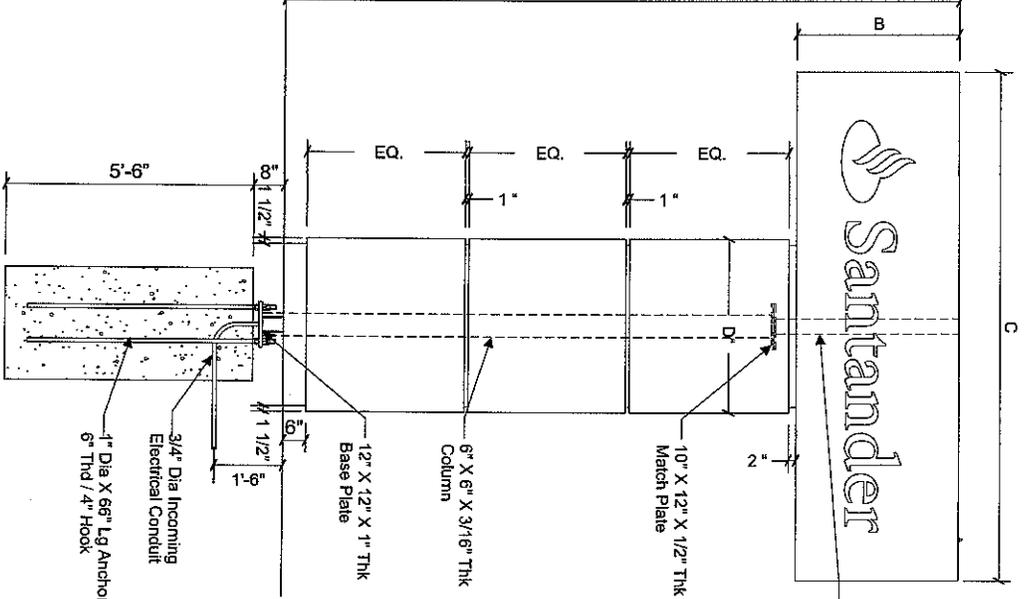
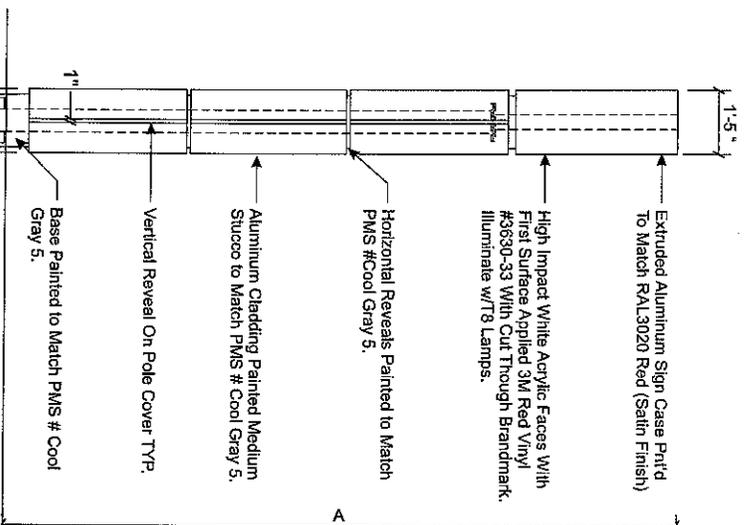
PERMITS ONLY



4" X 4" X 3/16" THK
Center Pole

STANDARD WIND LOAD		
HARDWARE LIST		
Description	Hardware	Qty
Match Plate	1/2" Dia x 2" Lg Hex Bolt w/ Nut & Hardware	4
Anchor Bolt	1" Dia x 96" Lg Bolt	4
Hardware	(3) Nut (2) Flat Washers Per Bolt	4

Note: Unless Otherwise Noted Above
 - All Hardware to be SAE A329 - Grade 2
 - All Anchor Bolts to be AISC F1554-3055 - Grade 55
 - All Anchor Bolt Nut to be Heavy Hex Nut A563A
 - All Anchor Bolt Washers to be F304



ELECTRICAL LOAD
(7.14) Amps @ 120 Volts
ELECTRICAL REMITS
(1) 20 Amp/120 Volt Circuits

STANDARD PYLON NOTES:

1. Sufficient Primary Circuit in Vicinity of Sign
2. By Others.
3. Final Primary Hook-up By Sign Installer, Where Allowed By Local Codes.
4. Sign Shall Be U.L. Listed.
5. Soil Assumed to Be Medium Clay, Or Better. With Minimum Soil Bearing Capacity Of 2,500 PSF.
6. Concrete 2,500 PSI @ 28 Days.
7. Reinforcing Steel Shall Be ASTM A615 GR-40.
8. Structural Steel Shall Be ASTM A36.
9. All Welds Shall Conform To A.W.S. Standards.

Sign Type	Description	Pylon Ht. (A)	Topper Ht. (B)	Head w. (C)	Face Material	Base w. (D)	Flame Height	"S" Height	Sq. Ft.
PY-H-15	15' Pylon Sign Horizontal Flat	15'-0"	3'-7 1/2"	11'-2 7/8"	Acrylic	3'-10"	1'-7 5/8"	1'-1 13/16"	40.74

SCALE: 3/8" = 1'0"

Note: This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

MAX DESIGN WIND SPEED 90 MPH
EXPOSURE C

THIS IS AN ORIGINAL UNREGISTERED DRAWING GENERATED BY PDS & IS SUBJECT TO YOUR BEING PLANNED BY YOU. ANY REVISIONS MUST BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION AND IS IT TO BE USED, COPIED, REPRODUCED, OR EXHIBITED IN ANY MANNER.

PHILADELPHIASIGN
 707 West Spring Garden Street
 Pottsville, New Jersey 08655
 Phone: 610-829-1460
 Fax: 610-829-1461
 www.philadelphiaign.com

CUSTOMER: **SANTANDER**
 JOB NUMBER: **06509-01**
 SIGN TYPE: **STD-RPY-H-15**
 LOCATION: **3237 Berlin Turnpike**
Middletown, CT
 DATE: **07-02-13**
 DRAWN BY: **MCH**

REVISION: _____
 Number: _____ Date: _____ By: _____
 SHEET: **1 OF 1** END DWT
 DWG NUMBER: **B-50538**
 ENGINEER SEAL: _____

Minor, Craig

From: Tracy Becker [tracy@thebeckers.com]
Sent: Thursday, September 05, 2013 10:05 AM
To: Minor, Craig
Subject: RE: Free-standing sign at 3237 Berlin Turnpike

Hi Mr. Minor,

Sorry about that. Will an email suffice, or should I send in a letter?

At the current Sovereign Bank located at 3237 Berlin Turnpike, we would like to remove the existing 56 sf freestanding sign and replace it with a new 47.2 sf freestanding sign. This new sign will be internally illuminated and will have an overall height of 15'0". The new sign will read "Santander" to reflect the new name.

If this is not sufficient, please let me know. Thank you for your help.

Regards,
Tracy Becker
Sign Permit Specialist
C 203.623.9745
H 203.949.0756
43 Mariot Circle
Wallingford, CT 06492

From: Minor, Craig [mailto:CMinor@NewingtonCT.Gov]
Sent: Wednesday, September 04, 2013 9:25 AM
To: 'tracy@thebeckers.com'
Subject: Free-standing sign at 3237 Berlin Turnpike

Tracy:

Please submit a narrative explanation of the proposed activity, as requested on the application form. Thanks.

- Craig Minor, AICP

The information contained in this electronic message may be confidential and/or privileged
If you received this in error, please inform the sender and remove any record of this
message. Please note that messages to or from the Town of Newington may be subject to
Freedom of Information statutes and regulations.