

## STAFF REPORT

### **Petition 12-11**

### **Petition 13-11**

**Public Hearing 5-25-11**

**Public Hearing 5-25-11**

**Petition 12-11** Toll Brothers applicant, Balf Company property owner, requests approval for a 71 lot single-family home subdivision on 73.7 acre property zoned for R-20 (20,000 square foot) development.

This project is subject to the lot design and uses set forth in the Zoning Regulations and the standards governing specifications for public roads, sidewalks, drainage and other improvements to be dedicated to the Town pursuant to the Subdivision Regulations.

**Petition 13-11** Toll Brothers applicant, Balf Company property owner, requests Special Exception for Open Space Subdivision Section 6.8 Zoning Regulations. Lots approved for open space subdivisions must conform to the design standards for the R-12 (12,000 square foot) development.

This 73.7 acre property contains regulated inland wetlands soils. These wetlands are the jurisdiction of the Newington Conservation/Wetlands Agency. Prior to the TPZ acting on these petitions, it should receive and acknowledge the report of the Wetlands Agency.

*The Town Planner recommends that the Commission, with the consent of the applicant, conduct the subdivision and special exception petitions as one public hearing.*

*The Town Planner recommends that the Commission, prior to the close of public hearings, and with the consent of the applicant, conduct a field walk of the property. This field walk could be coordinated with the Inland Wetlands Agency.*

### **Petition 12-11** Subdivision Development 71 lots

Subdivision Regulation standards which should be considered when reviewing this development.

1. Section 3.1 2010-2020 Plan of Conservation and Development, “Conservation Strategies” for protection of steep slopes (over 15 percent) ridgelines, wetlands. See Natural Resources Plan Map “Open Space and Greenways” create open space networks that protect environmentally sensitive areas. See Open Space Plan Map. “Community Assets” preserve and enhance the overall character of Newington. See Community Character Plan Map.
2. Section 3.2 Suitability of Land  
Land which the Commission finds to be unsuitable for subdivision or development may be set aside and not disturbed. Examples of unsuitable land are mapped inland wetlands and slopes in excess of 15 percent.

3. Section 3.5.2 Lot Size and Arrangement  
All lots shall conform to the Newington Zoning Regulations. The proportions of the average lot depth to average lot width shall not exceed the ratio of 2.5 to 1. Unsuitable building areas, unsuitable soil, topography, ledge rock shall be combined with another lot that is suitable.
4. Section 3.9 Open Space Improvements The Commission may require that land be reserved for parks or conservation purposes. Examples are, but not limited to, situations where open space reservation may be appropriate to protect mapped wetlands, steep terrain (slopes in excess of 15 (fifteen) percent and when the new open space would be contiguous to existing protected open space or further open space goals of the Town Plan of Development. Each reservation shall be of suitable size, dimension, topography, and general character for the particular purpose envisioned by the Commission. A maximum of 15% of the total tract proposed for subdivision may be required as park/recreation or conservation area. The developer shall deed all such open space area to the Town or qualified homeowners' association.
5. Section 3.10 Pedestrian and Bike Path Easements In areas where the proposed street system does not conform to the anticipated pattern of pedestrian circulation or in the vicinity of schools and playgrounds, the Commission may require the provision of 15 foot easements to the Town of Newington for the establishment of pedestrian and bike paths.

**Petition 13-11** Open Space Subdivision Zoning Regulations Sections 6.8, Section 5.2 and Section 5.3.

The request for approval of an open space subdivision requires the applicant to demonstrate compliance with the Standards of Section 6.8, the Special Exception Standards of Section 5.2 and Section 5.3 Site Plan Design criteria and content.

The Commission may approve the plan as presented, approve with modification and conditions, or deny. The reasons for the Commission's decision must be stated in the record and should be based on the regulations.

The important design criteria that this proposed development must meet in Section 6.8 Open Space Subdivisions are:

1. Section 6.8.1 When calculating the maximum numbers of lots permitted on this 73.7 acres for R-20 zone standard development land used for utilities, regulated inland wetlands and area with slopes in excess of 15 percent, (Subdivision Regulations Section 3.2) shall not be considered in computing the maximum lot yield.
2. Section 6.8.3 The land dedicated for open space must be at least 5 acres or equal to the percentage of the 73.7 acre parcel by which the lot area has been reduced, whichever is greater.

3. Section 6.8.5 The dedication of the open space area to the Town, homeowners' association or deeded to the abutting property owner must be identified by the applicant.

## **TOWN PLANNER COMMENTS**

1. R-20 District Subdivision – Open Space Subdivision – Density Yield

The application proposes an open space subdivision option for 71 lots versus the standard R-20 zone development.

The applicant uses a maximum density yield of 150 lots for the R-20 option. This calculation is based on excluding only wetlands areas. Subdivision regulations also require the exclusion of slopes over 15% from the density calculation. (Section 3.2)

Town Planner estimates approximately 28 acres, (38%) of 73 acre parcel, have slopes in excess of 15%. The steep slope areas are concentrated along the westerly ridge, in the north central section of the parcel adjacent to Cedar Crest Hospital and a narrow crescent shape ridge at elevation 330' – 340' in the central part of property. (See attached map)

The Inland Wetland area is approximately 3.8 acres. A 2.5 acre low area in the middle of the property and a 1.2 acre long narrow ravine that drains northwesterly down to Mountain Road.

The estimated developable area of the Balf property is approximately 42 acres, at 20,000 square feet per lot a density yield of 91 lots is the “mathematical calculation.”

*The Town Planner recommends that the applicant submit a conceptual R-20 conventional subdivision plan layout for the 73.7 acre property. The purpose of providing this conventional plan design is to show the possible R-20 lot yield and demonstrate why the R-12 open space design is a better option to protect the property's steep slopes and wetlands.*

2. Lot Size and Arrangement

Fifty-nine (59) of the 71 lots are designed to comply with the minimum R-12 zone district standards. The twelve (12) R-20 lots comply with the district standards for size, yards and frontage.

Sections of the proposed roadways and some lots are located on slopes in excess of 15%. For example, at the westerly end of “Road A” lots 45-49, lots 52-53, lot 71 and at stations No. 3 to 6 where 7 to 11 foot deep cuts will be necessary to lower the existing topography down to achieve the maximum 10% road grade. Also along the crescent shaped ridge, where lots 38 to 42 are proposed on portion of steep slope over 25% and along “Road D” where lots 2 to 5 are on slopes over 15%.

Lots 52 and 53 appear to exceed the standard for depth to front width ratio. These two lots are also on terrain that exceeds 15% slope where “Road A” grading of up to 11 foot deep cuts are proposed.

*The Town Planner recommends that the lots abutting the Old Highway Greenway be eliminated or redesigned. In addition to slope limitations and depth ratio noted above the requirement for the 50’ Greenway Buffer Standard (Zoning Regulations Section 6.10.5(B) ) will impact home site locations. The lots in question are 1, 70, 53, 52 and 51.*

*It is recommended that lot 71, proposed MDC pump station location, be eliminated and if feasible, placed within the water tank compound. Lot 71 is located on steep terrain and at the juncture of pathways leading to the ridgeline vista. Construction of an 18,822 square foot utility compound along the Greenway is not compatible with maintaining the “cohesiveness” of the proposed open space 39 acre preserve.*

*It is recommended that pathway connections for pedestrians and bike trails accessing the protected open space be shown on the layout plans. Potential locations are at the ends of cul-de-sac or coordinated with utility and drainage easements. Section 3.10*

3. The Zoning Regulations, Section 6.10.5(B), requires a minimum 50 foot landscape buffer width parallel to the Old Highway Greenway. Only site plan sheets SP1 and SP6 identify the buffer setback. This 50 foot buffer should be shown on the Record Plan, Utility and Grading Plan and Landscape Plan maps.

*The Town Planner recommends the applicant explain how this buffer requirement will be implemented. Lots 1, 70 and 71 indicate conflicts with maintaining this 50 foot standard.*

4. The road profile and lot grading plans indicate numerous locations where deep earth cuts are necessary to reshape the existing topography. The applicant should explain the locations of shallow bedrock and the anticipated blasting that will be needed to achieve the subdivision’s grading plan.
5. The subdivision regulations, Section 3.12, do not permit the planting of trees within the street right of way unless an 8 foot wide tree belt is provided. It is recommended that 2 street trees per lot be provided in the front yards of each home site.
6. Site Plan standards Section 3.2 requires the identification of areas of the property with slopes in excess of 15 percent. This mapped information has not been shown on Sheet EX-1, Existing Conditions Plan.
7. Section 3.6 of the Subdivision Regulations contains the design standards for proposed public streets. The applicant is proposing 60 foot street right of way width.

*The Town Planner recommends the 50 foot right of way for Residential Access Street standard be considered as an option. The additional 10 foot width could be reallocated to increase open space acreage or lot sizes.*

8. Section 6.1(K) requires the applicant to submit the proposed subdivision plan to the Connecticut Department of Transportation District One office for comments on storm drainage connection.

*Town Planner recommends that the applicant's engineer coordinate with the Newington Town Engineer all drainage review comments and any technical requirements to comply with the Town's Stormwater Design Manual prior to submission to District 1 Conn. DOT.*

9. Section 6.1(i) requires the submission of a traffic report analyzing projected traffic generated from the proposed subdivision and recommendations to correct potential safety hazards. The applicant submitted its Traffic Impact Report, dated February 2011, Russell Road (SR 424).

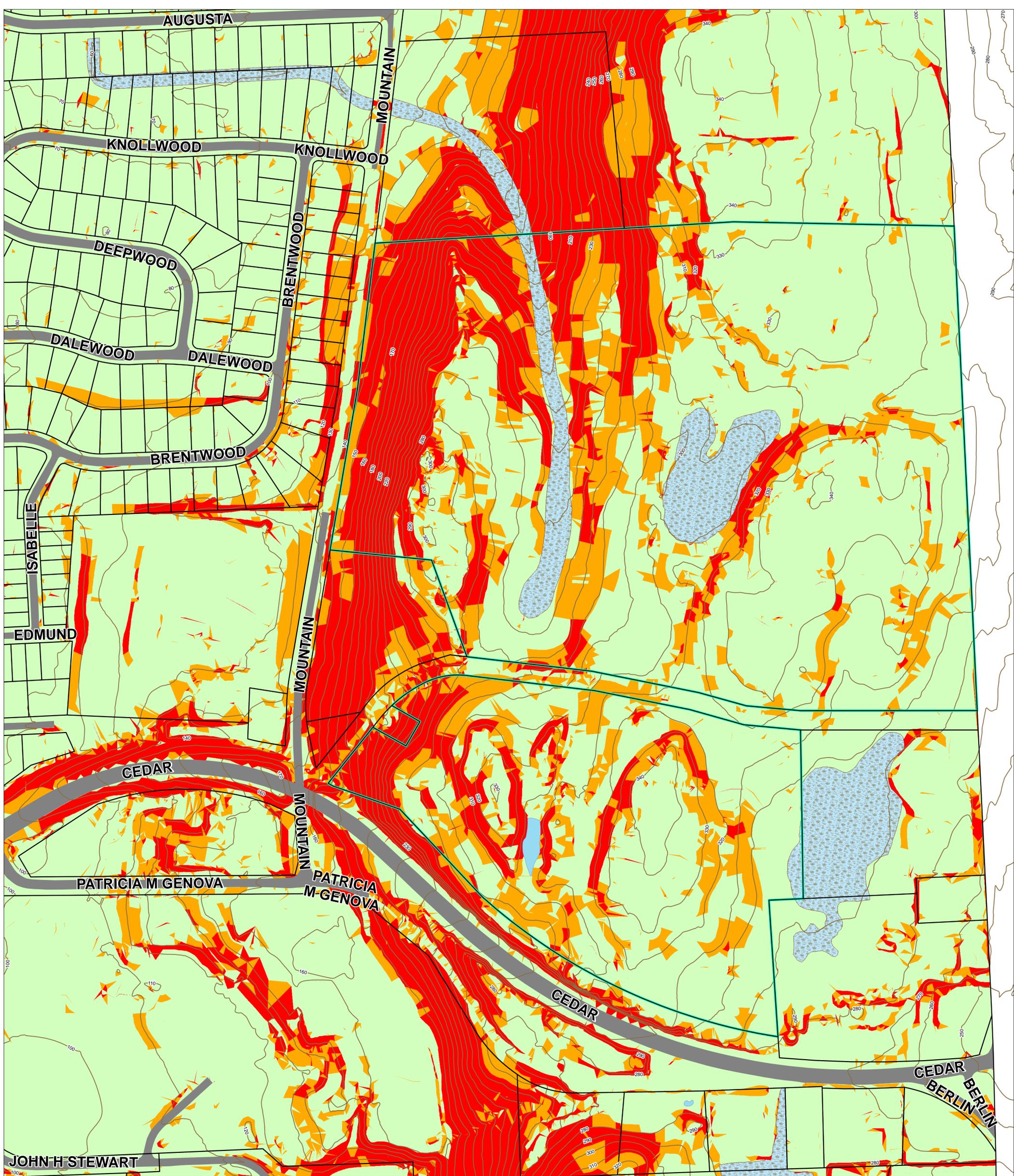
The applicant's traffic analysis projects that the subdivision development will add on weekdays 60 additional vehicle trips in morning rush hour and 76 additional vehicular trips in the afternoon rush hour. The report concludes that these additional vehicles can readily be absorbed on the adjacent street system.

The Traffic Report assumes only 20 percent of the additional vehicles generated by this subdivision will travel through the Russell Road/Berlin Turnpike ramp system, the remaining 80 percent of the new additional trips will use Arrow Road.

The Town Planner recommends that a higher percentage of trips be assigned the Russell Road/Berlin Turnpike ramps because single family occupants are more than likely be traveling into Town west on Rt. 175, East Cedar Street toward Newington center.

The existing traffic volume at the Berlin Turnpike ramps is almost 1000 vehicles at weekday afternoon peak hour. Toll Brothers' traffic report assumes that the developer of Shoppes at East Cedar Street will construct the improvements necessary at this unusual configuration of highway ramps and local streets.

Both Newington and Wethersfield have supported the CRCOG Corridor Study Plan for the Berlin Turnpike, March 2001, which recommends the termination of Russell Road and relocation to provide shared access to vacant Marcap property and the Shoppes at East Cedar Street. The State Traffic Commission (STC) issued to the Shoppes at East Cedar Street, April 21, 2009, Certificate 093-0609-01, Condition #12 provides for future internal roadway connections with Marcap LLC and access to a new traffic signal on East Cedar Street. The purpose of the shared roadway connection is to provide site accessibility and also to reduce the hazardous traffic situation at the Russell/Berlin Turnpike ramps.



Map Printed May 2011

# Areas of Greater than 15% Slope

Map Printed by  
Dept. of  
Information Technology  
GIS Services

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

**Legend**

- Parcel Lines
- Water
- Index Contours
- Paved Road
- Wetlands Area
- Slope**
- 15%-25%
- 25%-90%

