

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

JUNE 10, 2020 - 7:00 P.M.

This meeting will be presented as a Zoom Webinar/Meeting.  
Information on how to attend will be posted on the Town website at:  
<https://www.newingtonct.gov/virtualmeetingschedule>

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**AGENDA**

- 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
  - Documents:
    - [06-01-20 ZEO REPORT - MAY.PDF](#)
- VI. REMARKS BY COMMISSIONERS
- VII. PUBLIC HEARING
  - A. Petition #10-20: Zoning Text Amendment (Sec. 3.11, 3.16, 3.17, And 9.2) Regarding Breweries And Brew Pubs. Newington TPZ, Applicant. Continued From May 27, 2020.
    - Documents:
      - [TP MEMO BREW PUBS 10JUN2020.PDF](#)
      - [DRAFT PROPOSED BREWERY AND BREW PUB REGULATIONS 02JUN2020.PDF](#)
- VIII. NEW BUSINESS
  - A. APPROVAL OF MINUTES
    - Documents:
      - [TPZ MINUTES 27MAY2020.PDF](#)
      - [TPZ MINUTES 13MAY2020 REGULAR.PDF](#)
  - B. Petition #17-20: Site Plan Approval (Gas Station/Convenience Store) At 4 Hartford Avenue. Diyala LLC, Applicant; Newington Gas Distributors LLC, Owner; Jawa Shalo, 3 Bucks Crossing, Cromwell CT, Contact.
    - Documents:

TP MEMO 17-20 GAS STATION SPA 10JUN2020.PDF  
APPLICATION 17-20 GAS STATION SPA.PDF  
TRAFFIC STATEMENT 01APR2020.PDF  
HARTFORD\_AVENUE\_4-GAS STATION-SITE PLAN REVIEW COMMENTS-  
1.PDF  
TP REVIEW 17-20 HARTFORD AVE SPA 28APR2020 - CORR.PDF  
4 HARTFORD AVE SITE PLAN SET.PDF  
4 HARTFORD AVE ARCHITECTURAL SET.PDF

- C. Petition #18-20: Fireworks Tent Sale (Section 3.23.1.B) At 3164 Berlin Turnpike. Phantom Fireworks Eastern Region LLC, Applicant; Newington VF LLC, Owner; Joshua Nielsen, 59 East Street, Vernon CT, Contact.

Documents:

TP MEMO 19-20 PHANTOM ZA 10JUN2020.PDF  
APPLICATION.PDF  
NEWINGTON CT SITE PLAN.PDF

#### IX. OLD BUSINESS

- A. Petition #16-20: Special Permit (Sec. 6.11: Service, Sale, Repair, Rental Or Storage Of Motor Vehicles) For A Gas Station/Convenience Store At 4 Hartford Avenue. Diyala LLC, Applicant; Newington Gas Distributors LLC, Owner; Jawa Shalo, 3 Bucks Crossing, Cromwell CT, Contact.

Documents:

TP MEMO 16-20 GAS STATION SPT 10JUN2020.PDF

- B. Petition #06-20: Subdivision Amendment (Sec. 3.7: Drainage And Storm Water Improvements) Regarding LID In Residential Subdivisions. Newington TPZ, Applicant.

Documents:

TP MEMO LID SUBD AMEND 10JUN2020.PDF

- C. Petition #09-20: Zoning Text Amendment (Sec. 6.15) Regarding LID Stormwater Management At Existing Developments. Newington TPZ, Applicant.

Documents:

TP MEMO LID AMEND 10JUN2020.PDF

- X. PETITIONS FOR PUBLIC HEARING SCHEDULING
- XI. TOWN PLANNER REPORT
- XII. COMMUNICATIONS
- XIII. PUBLIC PARTICIPATION (For Items Not Listed On The Agenda; Speakers Limited To 2 Minutes)
- XIV. REMARKS BY COMMISSIONERS
- XV. CLOSING REMARKS BY THE CHAIRMAN
- XVI. ADJOURN



# Zoning Enforcement Officer Report

Printed: Monday, June 1, 2020  
for the Month of     MAY 2020    

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## 3300 BERLIN TURNPIKE

## AUTOZONE

05/15/2020 TPZ

FOOD TRUCK OPERATING IN RETAILER PARKING LOT  
WITHOUT TPZ APPROVAL

### *Actions and Inspections*

### *Status*

5 /15/2020 CEASE & DESIST  
ORDER HAND  
DELIVERED  
5 /15/2020 INSPECTION:  
VIOLATION  
5 /15/2020 COMPLAINT RECEIVED  
5 /16/2020 FOOD TRUCK  
REMOVED FROM  
PROPERTY

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## 27 WILLARD AVENUE

05/27/2020 ANONYMOUS

CHICKENS WITHOUT 5 ACRES

### *Actions and Inspections*

### *Status*

5 /27/2020 COMPLAINT RECEIVED

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# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Planner

### Memorandum

**To:** Town Plan and Zoning Commission  
**From:** Town Planner Craig Minor, AICP  
**Date:** June 3, 2020  
**Subject:** Brewery and Brew Pub Amendment

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At the last TPZ meeting it was suggested that we add language regarding “distilleries”. The Connecticut General Statutes defines and regulates four different varieties of alcoholic beverages, as follows:

#### **Sec. 30-1. Definitions.**

For the interpretation of this chapter, unless the context indicates a different meaning:

(3) “Alcoholic liquor” or “alcoholic beverage” includes the four varieties of liquor defined in subdivisions (2), (5), (18) and (19) of this section (alcohol, beer, spirits and wine)...

(18) “Spirits” means any beverage that contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including brandy, rum, whiskey and gin.

I have added “Distilleries” to the list of activities allowed by right in the Industrial Zone, and to the Definitions.

It was also suggested that food trucks are a natural associated activity for breweries that may want to sell their beer for consumption on site but not food. This is common in other towns. I have given this some thought, and I think “food trucks” warrant their own section in the zoning regulations, with their own approval process. I will draft something for your consideration and present it at the next meeting.

cc:  
file

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

**Proposed “Brewery and Brew Pub” Amendment**

Text to be added is shown in **bold underline**;  
text to be deleted is shown in **~~bold strikethrough~~**.

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Section 3.11 Special Permits Allowed in B Business Zones

The following uses are declared to possess such special characteristics that each must be considered a special permit. They may be permitted by the Commission subject to the following conditions and the provisions of Sections 5.2 and 5.3.

**3.11.8 Brew pub or brew restaurant (effective XX-XX-2020).**

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Section 3.16 Uses Permitted in I Industrial Zones

In I Industrial Zones, land and buildings may be used and buildings altered or erected to be used for the following purposes and no other. All such uses must be within a building or structure or accessory to a permitted principal use. (Effective 12-01-01)

3.16.1 Permitted Uses

**L. Brewery (effective XX-XX-2020).**

**M. Distilleries (effective XX-XX-2020).**

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Section 3.17 Special Permits Allowed in I Industrial Zones

The following uses are declared to possess such special characteristics that each must be considered a special permit. They may be permitted by the Commission subject to the following conditions and the provisions of Sections 5.2 and 5.3. All such uses must be included within a building or structure or accessory to a permitted principal use. (Effective 12-01-01)

**3.17.8 Brew pub or brew pub restaurant (effective XX-XX-2020).**

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Section 9.2 Definitions

**BREWERY: A facility used for manufacturing, bottling, warehousing, and distributing beer and beer products as defined in Sec. 30-1 of the Connecticut General Statutes. This includes tastings, tours, and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption.**

**BREW PUB: A facility used for manufacturing, bottling and storage of beer and beer products, including tastings, tours, and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption and the retail sale of beer served in open containers to be consumed on the premises with or without the sale of food.**

**BREW PUB RESTAURANT: A facility used for manufacturing, bottling and storage of beer and beer products, including tastings, tours and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption and the retail sale of beer served in open containers to be consumed on the premises in conjunction with the sale of food within a restaurant setting.**

**DISTILLERY: A facility used for manufacturing, bottling, warehousing, and distributing distilled products as defined in Sec. 30-1 of the Connecticut General Statutes. This includes tastings, tours, and wholesale and retail sale of sealed bottles or other sealed containers of distilled products produced on the premises for offsite consumption.**

NEWINGTON TOWN PLAN AND ZONING COMMISSION

ZOOM MEETING

MAY 28, 2020

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL AND SEATING OF ALTERNATES**

Commissioners Present

Chairman Pane  
Commissioner Claffey  
Commissioner Fox  
Commissioner Havens  
Commissioner Lenares  
Commissioner Sobieski  
Commissioner Woods  
Commissioner Braverman-A  
Commissioner Gill-A  
Commissioner Haggerty

Commissioners Absent

**III. APPROVAL OF AGENDA**

Chairman Pane: I believe we have the approval of the agenda and if I'm not mistaken the Town Planner would like to make a modification.

Craig Minor: Yes, under Town Planner Report I'd like to add, and I'll discuss it when we get there. We have to appoint a commissioner to what is the housing needs study committee.

Chairman Pane: Without any objection, we'll adjust the agenda for that. Any objections? All right.

**IV. PUBLIC PARTICIPATION** (For items not listed on the agenda; speakers limited to two minutes. Use the Zoom "Raise Hand" Function.

Chairman Pane: We're at public participation and just a reminder for everybody to keep your phones on mute. If you raise your hands, I will recognize you or James will recognize you so that you can unmute and speak. We'll open it up to a public participation. Anyone wishing to speak can do so now.

**V. REMARKS BY COMMISSIONERS**

Chairman Pane: Are there any comments from the Commissioners?

Commissioner Sobieski: I just wanted to let you know that I passed out the last couple of CCROG comments, the status reports activity.

*James O. Kypreos*  
Town Clerk

RECEIVED FOR RECORD  
IN NEWINGTON, CT  
2020 JUN -3 AM 11:00

Chairman Pane: Thank you Commissioner Sobieski, I did receive that, and I'm sure all the Commissioners received it. We thank you for that. Are there any other comments from any other Commissioners?

Commissioner Fox: I'm just wondering if the outdoor seating approval seems to be going fairly well. I have one question though, these approvals will be stretched out at least into the fall, so even if this pandemic is declared gone, the restaurants will be able to still have that seating.

Chairman Pane: Yes, until they are at one hundred percent seating capacity and then we can gradually take that away, and even then there may be some restaurants that might want to modify or add outside seating and they certainly will have the opportunity come to us and make changes to their site plan. For the future, but right now we're going to play that by ear. We've given them a six month time frame which goes into the winter time, but I'm sure they're not going to use it that far into the winter. We have to play it all by ear and see how the businesses do, I mean when they first open up and they're going to be allowed to probably open up only 50% of their capacity inside. So, they're going to need the outside seating and I would say they're probably going to need it into the fall. Does that answer your question Commissioner Fox?

Commissioner Fox: Yes.

Chairman Pane: Okay, very good. Thank you and Commissioner Claffey I believe has a question.

Commissioner Claffey: No, I just want to make it fully aware that there's been talk, and I've seen some documents that I was not at last meeting, but I was here. I'd like that on the record that I did attend the last meeting and was present.

Chairman Pane: I can certainly have the Planner make those changes for you.

Commissioner Claffey: Thank you.

Chairman Pane: Are there any other Commissioner questions?

Commissioner Woods: I have one. This is actually to the Planner, do we know what's going on with the packet? My packet just got here today. It literally came in the mail today at two o'clock.

Craig Minor: It's been a real crapshoot for the last couple of months. Some of them arrive two weeks late. I don't know why. I can talk to the postmaster and see what I can do differently to have the chance of them arriving in a timely manner.

Commissioner Woods: Thank you.

Chairman Pane: We have a question from an attendee.

Cara Santoro: Thank you for letting me speak. I live on Francis Avenue and I'm sure this is going to come up later on, on the agenda, but I'll speak now. I want to voice that I am against any zone change or development in the Newington Junction area. Seems like this continues to come up, and I think if there ever is a vote on this, or another meeting on it, it should be face to face when a lot of the public can attend and find out exactly what's going on. So I'm against any brewery pubs or change or anything like that. It's going to cause havoc with the traffic on West Hill. Now, it's already bad enough, and I'm not sure why we keep on trying to change the zone. First it was the housing, now it's a brew pub when we have the Berlin Turnpike or it could be more accessible in the center where the factory went out that can make a beautiful place redone like a small little blue back or something. It's walking distance from a lot of houses and I just don't understand why Newington Junction is always on the hotlist, the residents do not want it. There's traffic going up and down like.....and the last thing that we need is another brewery pub or a bar of something which is going to change our neighborhood or be a detriment.

Chairman Pane: Okay, thank you.

Cara Santoro: Well, are there any comments to come back to me.?

Chairman Pane: No, not right now, I don't have any comments back for you.

Cara Santoro: Thank you.

Chairman Pane: If there are no other comments then we will go to Public Hearings.

## **VI. PUBLIC HEARING**

- A. PETITION 16-20: Special Permit (Sec. 6.11: Service, Sale, Repair, Rental or Storage of Motor Vehicles) for a gas station/convenience store at 4 Hartford Avenue. Diyala LLC, Applicant; Newington Gas Distributors LLC, Owner; Jawa Shalo, 3 Bucks Crossing Cromwell, Ct, Contact.

Chairman Pane: Is the applicant here?

Kenneth Slater Jr. Ye, Ken Slater Attorney with Halloran and Sage and also on the line is the owner of the applicant, Jawa Shalo and her husband. I would like to ask the indulgence or advice of the Chairman of the Commission. This afternoon we received the engineer's comments and there's 59 comments in there. In speaking to our engineer, there's a number of them that would require some analysis and also some discussions between he and the Town Engineer. So what we would be requesting or what I'm suggesting if it makes sense to the Chair would be that we proceed with our presentation that we were planning to present and would ask that the hearing be continued so that we have an opportunity to address the many comments that have been added by the engineer. Some time you get an engineer's report that would be very easily incorporated as just a condition of approval assuming that you favorably view our application, but in this case there are some very important substantive ones that the engineer, our engineers need to be able to speak together. Hopefully there would be a meeting of the minds if they discussed it. Is that an approach and a reasonable one from the Commission's side?

Chairman Pane: Yes, that's not a problem. I want the applicant to feel absolutely comfortable with engineering and before we do anything we will have it as Old Business. We won't act on it until you have a chance in your application to review all of the engineer's comments and then come back to our next meeting and tell us whether or not you need them modified or whether or not you can comply with them.

Kenneth Slater: Thank you very much. I will, one of the comments of the engineer was the request the narrative of an analysis of the regulation that deals with a requirement that motor vehicle related uses be located within 100 feet from, and I'm quoting, a religious institution, school, playground, hospital or any residence and based on the regulations, and I've gone through and I've pulled out several instances in your regulations where your regulations showing intent to show that certain activities be away from a certain zone and other instances in which an activity be away from a certain property boundary. This one does not do that. This one requires that the use be located a certain distance from the actual religious institution. If the religious institution was located on a giant parcel and it was on the opposite side of the parcel and someone might wish to have one of these operations at a gas station, like this one, literally a mile away from the actual church. Then that's not what the regulation says. It's not based on zone, it's not based on property line. So what has to be shown, and you'll hear from the engineer in a few minutes, on that it has to make sure that the entrance is at least 150 feet from the residence, which it is. What I'll do, thanks to your generous opportunity to be able to fully comment, the engineer asked for a narrative on that. I'll leave it at that, and turn the floor over to our project engineer.

Brandon Handfield: Thank you. Everyone hear me okay? For the record, Brandon Handfield Consultant and professional for several years in Connecticut and over 20 years of civil engineering. I'll keep it brief, I know you have a tight schedule. I'll go through the existing site, the proposed development, associated improvements and then turn it over for any comments you might have.

That, map #2, is the detailed site layout and what you have in front of you. This is an overlay of the proposed conditions over the existing survey that was prepared for this project and the existing site is about .45 acres. It's at the north, to the north of the intersection of Hartford Avenue and Main Street. Hartford Avenue to the right of the screen, Main Street is to the left of the screen and that is where the property would be for the residential property. Describing actually the current conditions, It's currently (inaudible) to located them all where the gas station was that was demolished. Some of those features still exist even though it was demolished so in terms of the curb cut, they are still there and something that those familiar with the site know is that most of the site is connecting to Main Street and Hartford Avenue. It wasn't perfect, but generally, it's in and all the way, almost to the edge of our property was a large curb cut except for one island for the utility pole in it. On Main Street, the curve kind of generally went from the intersection, where the sidewalk is about halfway up the property. So basically the original development for the gas station was tucked into the front corner and the entire area or most of the area was accessible from, the road. So, on the proposed layout, what we did was we tried to push the sidebar. We will start with the building. We have a proposed convenience store along the northern property line, that's 2640 square feet. In the center of the site and with a canopy over the station of 1500 square feet. The positioning of that was very tight in terms of the setback from the front yards of Main Street and Hartford Avenue in addition to the 100 foot setback. We have

shown dashed lines and labeled so that you can see that it fits within that triangle and complies with the (inaudible).

In terms of access to the site, we've shifted the existing curb cuts as far away from the intersection of Hartford Avenue as we could. So, starting on Main Street, we pushed the access road as far north as we could to access the site suitably. We have a single driveway with in and out access that can make that appropriate along Main Street. Going around the site to Hartford Avenue on the east, there we also push it as far from the intersection as we could. And what you'll notice here is that we have a single entrance and a single out lane for the development and one of the comments that came in from the engineer that I want to have a discussion with is why we did that, typically we would not have separate lanes, but in this case, between those two driveways, there's a significant utility pole that is a main line that carries a number of electric and telecommunication wires. It is a main that runs up Hartford Avenue, so in order to have a single driveway, we would have to relocate that utility pole. So the thought process and design process that we went through, I worked with our traffic engineer Joseph and asked some BHP and made sure we could design these entrance and exit lanes to accommodate the site traffic and trucks that will need to have access to the site, while also maintaining or keeping that utility without disturbing and the expense and extended timeframe to relocate. So that conversation is one I will have with the engineer, but to describe it to the Commission that that was the process we took in design and that we feel it does serve the site and also preserves the existing utility feature. In terms of parking, we have six parking spaces up to the building to the north. There are eight parking spaces adjacent to the fueling pumps underneath the canopy and we have two additional parking spaces to the south adjacent to the air station. In total we have 16 parking spaces which exceeds your zoning requirements. We also want to have a handicapped accessible space, which also meets the ADA requirement.

Pedestrian access in terms of existing pedestrian access, there is a sidewalk along easterly shoulder, a mainstream that sidewalk will be extended, or though where the former curb cut was and then there will be ramps added at the new driveway cut.

Internally the pedestrian access will generally be wrapped around the building so it would be a sidewalk along the front, in the front entrance of the sidewalk, around the west side serving the restrooms and around the rear for the service entrance. That the last item on the site layout, generally is the trash and recycling area which is a dumpster pad.

If you go to the next page, I will be very brief. In general we maintain the existing typography and natural drainage of the site, which was formally developed so that there's a high point along Main Street and it generally flows in an easterly direction towards Hartford Avenue. We've maintained that as much as we could, while also trying to keep the fueling island on a high spot so we don't have storm water rolling across the fueling area. Drainage for the site will be collected with a new underground collection system. It will discharge to the existing system within the right of way. We do have a number of treatment areas on the site to comply with the 2004 storm water quality manual in the town's LED manual. We have a storm water treatment structure before outlet, so there are a number of (inaudible) as a conservative approach. Ultimately the drainage design is partially located within the town right of way and will require the review and approval and we will be seeking that shortly.

Lastly, on this plan utilities in general, these are just service utilities connecting to either the existing mains adjacent to the site or even on the site from the previous development, no extensions are necessary at this time.

We can go to the next sheet for landscaping and lighting. This plan was prepared by Kevin Green or the Landscaping portion of it. In general, it's a combination of screening parking lot landscaping, foundation plantings and planting beds. In terms of the internal lot area for landscaping, we do exceed ten percent requirement required by the regulations, same goes for the total lot area landscaping. We've seen the requirements for this area and in general we're increasing the amount of landscaping that exists on the site as compared to the original gas station development through the establishment of turf, additional landscape areas and planted beds.

I didn't personally see the former development, but from aerial imagery in the old survey, you can see most of the rear lot was a compact of gravel area. We're trying to plan as much as we can and restore vegetative state.

In terms of lighting, what we show on this plan are the area lights that encompass the perimeter of our driveways and parking areas, all of the lights are full mounted area lights LED fixtures or cut off for the 17 foot maximum height. We did not show on this plan the lights associated with the building or the canopy. So we took the approach to make sure our lights provide adequate lighting for the services. The additional lights for the canopy, which are obviously full cut off underneath and the buildings, which will be full cut off. This would highlight the pedestrian areas and direct fueling areas and one of the comments the Engineer provided was that he requested additional information of those lights and we will contact the architect to see what we can do about that.

The last item on my list is erosion control plan even prepared by a professional engineer, licensed in the state and does comply with the guidelines. There are a few comments from the engineer's letter that I would like to address, but we do feel this is an adequate plan for this half acre site.

That is all I have, unless there are questions.

Chairman Pane: Does the applicant have any proposed architectural features that he would like to discuss on the building, you know, what kind of material, what it's going to look like, anything like that?

Kenneth Slater: Just got a message, shortly before the meeting that he was not able to join the zoom meeting, so I guess it's fortunate for the engineering comments because we will have the architect available there. There were elevations that were submitted but I would prefer that he be able to go through that with the Commission, with your Commission's indulgence. It won't take long at the continuation of the public hearing for him to do that.

Chairman Pane: Is there anything else that you'd like to present to us on this?

Kenneth Slater: All I would mention is that you know it is a non-conforming gas station under the law that's been clarified and modified there. There has to be an intent on the owner, or on the part of the owner to abandon a use and knocking a building down or stopping the se, it is not that kind of evidence, so there is an existing non conforming use that could be continued. The beauty of this plan is with the changes of your regulations we

could bring this site into full compliance. Again, we'll address all of the engineering issues and I'll let you know that in more detail. The fact that this does comply with the 100 foot setback because it's more than 100 feet from the residences as required by your plain language, whereas in other places of your regulations if you intended it to be from a lot line or the zone, you would have said so. That would make this a fully compliant plan if your Commission agrees that we've met the requirements of the regulations, so that is all I wish to add. Again, thank you for the opportunity to go through the rest of the engineering and hopefully we'll be able to button everything up by the meeting, which, you know, the engineer have been able to get together.

Chairman Pane: Thank you very much. Before I open it up to the public, I'll ask if there are any Commissioners that have any questions.

Commissioner Sobieski: The plan looks good. I just have a couple of questions. I'm concerned with where you have the driveway going in off of Hartford Avenue, you have two lanes. So you have an exclusive left turn land off the through line that sometimes traffic backs up. Somebody coming down into there may have a problem trying to make that turn because traffic, the backup. I know it was a gas station for years ago, and I don't know if that's been address the same thing on the other side. Other than that, it looks pretty good. I have no other issues other than the safety issue. That's my only concern.

Chairman Pane: Thank you Commissioner.

Commissioner Woods: I don't have a question, but I do have a comment. I think the applicant has done actually a very nice job of getting this building in the site and maximizing the amount of green space which is very important to this Commission. As you now, Mr. Chairman, you worked very hard on that and they seem what they've done the impossible and they are surrounding this entire site with a fair amount of green space. I think they should be applauded for that. It's been a massive blacktop for years and years until they took the building down, and it's just been a gravel mess. But I think they've done a nice job and presenting this Commission with a good use and even better news is that they are also looking to bring it into conformity so it will no longer be a nonperforming use and I applaud them for that too.

Chairman Pane: I agree with you Commissioner Woods. I think this is what appears to be a real asset for the Town. Are there any other Commission questions? All right, I'll open it up to the public. Is there anyone wanting to speak in favor of this application? Is there anyone wanting to speak against this application?

James Krupienski: Doesn't appear. We have no one raising their hands, Mr. Chairman.

Chairman Pane: Thank you very much.

Chairman Pane: I don't that there's any major stuff that the applicant has to show us going forward. If there's no objection, we could close this and just move this public hearing to Old Business and not act on it until the next meeting.

Kenneth Slater: Could I be heard Mr. Chairman. It is certainly my concern with that is after the public hearing closes there's not supposed to be more substantive information if this engineer report was just, you know, I need a little more detail on stormwater management or some ice frost, but there's three items that are at least two of the, Mr. Hadfield comments on which is the reason why there needs to be entrances on both side. That was something that we're trying to resolve with the engineer and another whole handful of comments is a request by the engineer that a bunch of petroleum engineering be done. That is very costly. That would ordinarily be done as part of the building permit approval and not a site plan approval and the applicant is a small business and didn't intend to invest in all of that engineering related to underground storage tanks unless this Commission found that it was favorable if there is any problem with the engineering with the underground storage tanks, if this Commission approved this application it wouldn't be able to get the permits to put the tanks in, so there's really no harm to the town, but if we were left to address the town engineers comments as their stated right, now that would force the applicant to engage in a costly exercise. So we're hoping to be able to address that satisfactorily with the Town Engineer, so new information that we'd have to submit and it would be a favor being able to do that.

Chairman Pane: I understand that and I have no problems leaving it open. I just felt that most of those issues were related to the site plan which is still going to be open, so I don't know if they really relate to the public.

Kenneth Slater: I understand you. Good point, good point. Separately Mr. Chairman I do think that we are greatly concerned about dealing with the site plan, so as far as the public hearing for the special permit, special exception, I don't disagree with you.

Chairman Pane: Okay, and if you could explain the one issue that's really troubling the applicant that sounds like its very costly that has to do with the holding tanks for the drainage. What is that, could you explain that?

Kenneth Slater: It's the underground fuel tanks. There's a requirement that there be wells installed and I'm, I have to admit, I'm not completely an expert on this, because ordinarily I think this would be at the next phase, but the town Engineer wanted the engineering done. To put a number on the table here, in the end the engineering firm that would provide the tanks, we were talking about a half a million dollar investment. That includes the tanks themselves, but they have to engineer it and they have to show that the site would accommodate the well, etc. That was all expected to be invested in after the fact. Among the 59 comments that we received from the town Engineer was that the engineering work be done now.

Chairman Pane: So you would like to have that separated as a condition.

Kenneth Slater: I'm not even sure you need it as a condition. It's like there's a certain aspect of building construction. You're not going to have this as a condition to this approval. There is nothing in the zoning regulations that requires as you know, engineering to be present. There's going to be engineering, it's done in terms of construction, of all kind of buildings.

Chairman Pane: Yes, so this would go along with the, it would go more for the building department and so on, after the fact.

Kenneth Slater: And the fire marshal. Yet to find that all those requirements are there so we wouldn't escape compliance with that. But if you know, this Commission said no use these, folks who again have small businesses would be force to make an investment they'd never have to make, but one that they obviously will if you approve it. They won't be able to avoid scrutiny because it will be reviewed by building officials who can march down to the engineering department, as well as the Fire Marshal, so that's one area of concern. The other is the language in the engineer's report that said they prefer one entrance over two. Mr. Hadfield indicated the reason why, I mean, there's an existing footprint in the existing way that it was managed and Mr. Hadfield will also address the question that Mr. Sobieski had raised about safety of the entrance, but the very expensive nature of that main utility pole would make it very, very costly to engineering in a way to have only one entrance. The Town Engineer used the word prefer. It's not required in the regulations so that one may not be a big deal, either because it's really your Commission that's got to be satisfied with that, not the Town Engineer on that one.

So most of the things that the Town Engineer has on there I think are all site plan related. The big picture, one was whether or not we have to do all of that petroleum engineering in advance of getting site plan approval. Also, whether or not you know you were persuaded to if you're not with the idea that we have to have insurance only one street, then that's an easy one as well. We would take some time with the town Engineer and explain why it was designed this way, and why the traffic safety was carefully, you know, they pay careful attention to the traffic safety consultant with the traffic safety engineer and they prepared a plan that you know, that does comply with their concerns. So those were the two big ones that jumped out at us from reviewing through this. The 59, and I think they still could fall under the category of site plan review as opposed to the big picture special exception for which I think you can close the poll here.

Chairman Pane: Look, okay, I agree with you, and I think the TPC is in a position where they want to make it as easy as possible for developers but still get great products. I think we all agree with you that we can discuss some of these things at the site plan review at the next meeting, so I'll continue and ask if there's no other objection, I'd like to close this public hearing and move it to Old Business, Petition 16-20 if there is no other objection from the Commissioners.

Commissioner Claffey: It's fun to make a motion to move it to Old Business like you stated.

The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with seven voting YEA.

Chairman Pane: Very good, so we will move on to Old Business for our next meeting. I want to thank the applicant very much.

- B. Petition 06-20: Subdivision Amendment (Sec. 3.7: Drainage and Storm Water Improvements) regarding LID in Residential Subdivisions. Newington TPZ Applicant.

Craig Minor: This was an issue that came up around December or January of this year. Last year when we had a small, around a four lot subdivision that technically has to go through all of the requirements as a major subdivision, and the Commission felt that it was a little bit excessive and so the Commission, at that point adopted a policy of not requiring more subdivision or subdivisions that didn't involve a new road having to comply with LID with the understanding that it would need to be codified at some point. So that is what this regulation does, it exempts subdivisions of four lots or fewer from having to go through the process and I was working for the Town when the LID regulation was adopted, so I understand the intent at the time was to provide as much LID as possible, but I get it that a small subdivision which the developer doesn't have a huge budget. The existing drainage management regulations already control his run off and sometimes rain swales, rain gardens can do it, but I think it makes sense to exempt small subdivisions from having to comply with the regulations so I encourage the Commission to think about this amendment.

Chairman Pane: Does this cover commercial properties or not because I thought we were going to cover commercial properties because I think that that's been a problem with some of our development. The soils under the residential development is the same soil under the commercial development. We have mostly clay soils. It really doesn't work, and it's become a very very expensive thing for developers. And I think it's been hindering our development and I'd like to open it up to Commissioners for their comments.

Craig Minor: Mr. Chairman, let me answer your question. Yes, I hadn't thought about that but technically the regulations don't make a distinction between....oh no, I'm sorry. We do the way I wrote it. It says residential subdivisions with fewer than five new building lots are exempt. If the Commission feels along these lines, you could delete the word residential and say that all subdivisions with fewer than five lots would be exempt from LID. I'm not sure I would agree with that though Commissioners.

Large industrial manufacturing subdivisions, let's call it an industrial park. At some point the developer, the buyer of one of those what's called an industrial lot is going to have to go through the expensive of designing the LID, so the first new one buys a lot, doesn't get burdened with that.....

Chairman Pane: But you have to remember, we're 95% built out so most of the development is existing industrial areas that didn't have this and then they have to dig up their parking lots, and they don't have the right soils, so I think it's affecting our commercial businesses, but that's just my opinion. But I think Commissioner Claffey has a question.

Commissioner Claffey: I just wanted to clarify, first off in your remarks Mr. Minor you had said in the beginning of this, before we got into the debate, you said for five or fewer for the residential, is it?

Craig Minor: Yes, it's five or fewer.

Commissioner Claffey: Okay, then I would like to get a little more feedback on how we might include more than just residential and put it in there. I mean, I bring up the property over off the Berlin Turnpike where the pizza place across from CITGO gas station, I remember they had a heck of a time before us trying to get as much open space, green space, excuse me and LID. I don't know if that is what Dominic is kind of like, lots or pre-existing condition, that this guy tried

to improve something and the hoops that they had to go through were quite extensive and expensive, and I would like to somehow try to include other things and just, you know, residential because I know that's where it started for like a homeowner who wants to put up a shed and you had to come in with a calculation as LID. Again, that was cumbersome to a resident and that would be the same concept to a developer trying to redevelop.....

Chairman Pane: Exactly, Commissioner Claffey, well said. I agree with you. I think it was Chick-fil-A that had problems and it was overkill and the soils in Newington don't allow for this low impact development. In most of the soils here, and I think it's hindered some of our development, but that's just my opinion. I think there's been some businesses over on Fenn Road and then some of the newer businesses coming in and reworking the individual buildings, that have had a problem. Any other Commissioners have any thoughts on this?

Commissioner Sobieski: My only thing is, I understand, and I have really no issues with the residential issues at all, because I do know that you know the soil in town. It's pretty bad. I really don't have anything with the new construction or redevelopment but according to the way this is written here, and I'm just quoting here, existing surface areas shall not be subject to LID so if we had a building and the building got knocked down, and rebuilds the building with no change to the parking lot, then we don't, he doesn't need to go to LID. If he then starts, tears the building down, finds out he has to go through an issue with the parking lot, either make it smaller or whatever, then he would have to go through LID, am I correct so far?

Craig Minor: Commissioner Sobieski, I think you are talking about the next amendment which talks about.....

Commissioner Sobieski: I thought we were just going to try to combine them both...that's what I'm trying.....

Craig Minor: They are separate, and I think that's part of the problem the Commissioners are having with this is, that they're very different concepts.

Commissioner Sobieski: I can't hear you.

Craig Minor: If you combine them in your mind, then you're going to get hungup there because they are really very different.

Commissioner Sobieski: Okay, that's what I was asking because I thought we were trying to put them all in the same regulation. Okay.

Craig Minor: Now one is in the subdivision book, which is a totally separate set of regulations covered by different Connecticut laws, and then the other is its own regulation, which we haven't gotten to yet.

Commissioner Sobieski: All right.

Chairman Pane: Any other Commissioners?

Commissioner Woods: Thank you Mr. Chairman, I was just getting ready to raise my hand. I agree with both of you, Mr. Chairman and Commissioner Claffey that while I think this is well intended, unfortunately, I think anywhere in the Town of Newington our soils are just not indicative to this type of treatment, so we go through a larger exercise and the applicant has to spend a fair amount of money and it just doesn't really work. We disguise what we are putting in. What were retention basins is our calling them rain gardens, so we fill the rain garden with a very previous typically three feet of sand and at a pretty costly amount of money and the water just sits there anyway. Again, I don't think it's working. I think it would be nice if we had sandy soils, maybe we could do some of this and be recharging the ground a little bit better but I just don't think it's advantageous to use and I think it definitely is hurting us with redevelopment, a lot of the spaces that we have in town.

Chairman Pane: Thank you Commissioner Woods, any other Commissioners like to comment on this? Is there a way to have this written up so it eliminates all LID?

Craig Minor: That's substantially different from what's been presented. I think we would have to have a new public hearing on that, but as I said before, eliminate the word residential if the Commission wants this to apply to all subdivisions, commercial as well as residential. I don't feel that would be a substantial change, someone might, but I would be okay with the Commission deleting the word residential and proceeding with the Commission model without having another public hearing.

Chairman Pane: Is that still going to achieve the same thing?

Craig Minor: It doesn't achieve the goal that you are addressing Chairman Pane when you started speaking, because really what you were speaking to is the development of the site. Here we are talking about the subdivision of the site turning vacant lots into something that someone will develop.....

Chairman Pane: I was just going to say, if you don't feel comfortable with it, and obviously I think if there is no objection from the Commissioners maybe we, after we open it up to the public comments, we might have to redo this if the other Commissioners agree with me that it would be an advantage to remove it all from the regulations. Matter of fact, I think personally that we should make it retroactive. I think there's a handful of developments out there that became so expensive that they didn't get tone and we should allow them to come back in without the LID, if that encourages development.

Craig Minor: Again Chairman Pane, hold that thought for the next amendment because the next amendment talks about development and you made a point to me previously and I think it's a good one, that if you do adopt the next amendment it's no longer requiring retrofitting. What I'll do is I'll go back and look at the last couple of years of approvals and let those owners know that they don't have to do that. But that's a very different thing from the subdivision process.

Commissioner Woods: I would like to use an example for the subdivision which I think we could possibly be facing and that would be two properties right in the center of town. The Keeney property and the old Foodmart property. There is a possibility that that building or all those buildings could come down and it could get subdivided and get moved into either different owners or at least get some divided into different parcels. So, I think, and again, the soils as we

all know in the center of town are definitely not great soils, so I think it would cause an undue burden to an applicant and I would like to see it removed, so I would like to get rid of the word residential and any subdivision.

Chairman Pane: Okay. Craig, I have a question. If we remove the residential, what about commercial buildings coming in?

Craig Minor: Commercial buildings don't come in under the subdivision regulations. Commercial buildings don't come to you as a subdivision. They come to you as a site plan approval.

Chairman Pane: So how would we do something to help that?

Craig Minor: When we get to the next petition.

Chairman Pane: All right, Do the other Commissioners have a problem removing the word residential?

Commissioner Havens: No

Commissioner Claffey: Domenic, question for you?

Commissioner Fox: I don't have a problem except for the fact that I can hardly hear half of the time.

Commissioner Sobieski: I have the same problem.

Commissioner Claffey: Chairman Pane, I just want to, if you guys can clarify, because all of us that are talking, it bounces back and forth between section 3.0 design requirements, which I think are under the residential subdivision requirements, and then we're bouncing over to the next one 6.15 and I'm assuming that is speaking of the requirements as a whole.

Craig Minor: The subdivision regulations are an entirely different book, as you all know, and the process that the Commission goes through in approving a subdivision, the rules are entirely different. They have nothing to do with the zoning requirements and when we talk about the regulations, well, let me leave it at that. It's those are two different, entirely different....

Commissioner Claffey: So explain to me how different they are then.

Craig Minor: Two different bodies, the law.

Chairman Pane: The one that we are on right now is subdivision regulations and it's been suggested to delete the word residential so.....

Commissioner Claffey: But let me, let me ask the other questions to kind of piggyback off what Commissioner Woods brought up is, say down the road you have an area like he discussed in the center of town that could have, we don't know, a residential subdivision dropped in the

center of it. It could happen, so are you saying we want to take, I think what he's getting at is, take it out of both pieces of language.

Craig Minor: And then, a good example. You know, the Foodmart property, let's say, the owner of it wanted to subdivide it into three smaller parcels. Currently they would have to go through LID to do that, and I can see how that would be something of a, you know, probably wasted effort. So that's why I understand the benefit of making this new change, to all subdivisions, not just residential ones.

Commissioner Claffey: Okay, okay, thank you.

Chairman Pane: This is a public hearing, so if there are not other Commissioner comments, I'll ask if there is anybody from the public that wishes to speak on this? Anyone wishing to speak in favor or against this?

James Krupinski: Not so far Mr. Chairman.

Chairman Pane: So no Commissioner has a problem removing the language for all the residential?

Craig Minor: No, don't do that. Now that the hearing is closed once you're done with it, when you get to old business to act on it, motion to approve, with the deletion of the word residential would be the appropriate way to do it.

Chairman Pane: If there is nothing else from the Commissioners, I'll move petition 06-22 to Old Business for action.

The motion was seconded by Commissioner Sobieski.

Craig Minor: Mr. Chairman, do you want to close the hearing first?

Chairman Pane: Close, close the petition 06-20 and move it to Old Business for action. We have a motion and a second, all in favor?

The vote was unanimously in favor of the motion, with seven voting YEA.

C. Petition 09-20: Zoning Text Amendment (Sec. 6.15) Regarding LID Stormwater Management at Existing Developments. Newington TPZ Applicant

Craig Minor: Now this is the regulation that when it's enforced and we don't always enforce it, because there's always the loophole in the law that says that a developer only has to comply with LID to the maximum extent practical and the Town Engineer is pretty reasonable in allowing developers to not provide LID, but with this regulation, and we've always had it, it's that when a property owner comes in for site plan modification of an existing, let's say factory, he wants to add on another wing to the factory, not only does that additional wing have to be approved, but his stormwater management design per LID for the whole property has to be retrofitted to provide LID for the entire site. Now in most cases it's being waived by the staff

because that's just not practical and that just goes above and beyond. But it would make sense to just delete this completely from the regs so that the applicant doesn't have to go to the engineer and ask for it to be.

Chairman Pane: So you are asking just to remove it completely?

Craig Minor: Well, James, can you flip to the next page which is the actual text amendment? What I'm proposing is that we add this sentence, existing and revised surface area. In other words, the rest of the lot for a property that's being, that's coming in for modification, existing under the surface area shall not be subject to LID notwithstanding anything to the contrary, in the low impact development and stormwater manual because that's the manual. That's where it makes it clear to developers that they have to retrofit. So this one sentence in the zoning regs basically takes that out of everything.

Chairman Pane: But they still have to comply with some LID and I'm of the opinion that I want the LID removed because it's a burden on these businesses. We've had, I think there's several of them where we haven't had them do anything because this was such a burden. And you know, I don't think we should be using it for when they make an addition on their existing property.

Commissioner Woods: I agree with the Chairman.

Chairman Pane: Thank you Commissioner Woods.

Commissioner Claffey: I have a concern. I'm kind of with what you are saying, but I have a concern that in 6.1 and 5.3 why we are putting a definition in the body of the language and not at the beginning of the regulation.

Craig Minor: Commissioner Claffey, what do you mean by definition?

Commissioner Claffey: Why don't we delete in your Town Planner report, the 19<sup>th</sup>, which is the thing before it's attached memo, zoning regulations delete the retrofit requirement, but what is the.....

Craig Minor: That's just what we call it. That's, there's not a technical term that's just what we've been calling it. It's a you know, just a common parlance.

Commissioner Claffey: Is that something? Am I missing that there was never a requirement?

Craig Minor: I don't know how to answer the question. This requirement has always been there and what we need to do is when you .....

Commissioner Claffey: Hear the term retrofit has nothing to do with just a term?

Craig Minor: Oh no, it's just what I'm calling it. So rather than the phrase unrevealed exiting surface area, help me Commissioners?

Commissioner Woods: I think what he's trying to say Commissioner Claffey is when they revert to an existing review, if you look at a parcel, any parcel with a building on, we're going to add on to the building right now and the building addition would have to come under LID and the rest of the site might have to come under LID and might not depending on the engineers feeling

that day. This would now take the rest of that site and remove it from the regulation. Am I correct?

Commissioner Claffey: I mean, I'm just saying, we're still leaving words in there that are a little confusing, so I appreciate the clarification Commissioner Woods.

Chairman Pane: Any other Commissioner comments?

Commissioner Lenares: I have a couple of thoughts here. I do have some sort of experience with this back when I built my home and for those of you who don't understand the impact of what it could possibly cost the homeowner it was amazing how much money it was going to have to cost in order to comply with these LID regs. I would be in favor of them coming out. I think the existing drainage management regulations that we have within our town I think they're good. And I think they're adequate and I think they're protective of the homeowners of commercial owners that are adjacent or next to those other buildings or homes. I understand the residential versus commercial conversation, but in terms of both of them being applied I would be in favor of removing them because I think the existing regulations are good, adequate to what is going on for protection and I can't stress enough how costly it would have been if I had to comply with all of the things going forward when I did it, years and years ago.

Chairman Pane: Thank you Commissioner Lenares. By making these changes it still does not remove the LID from all residential and commercial and if the Commission was going down that path and full Commission was interested in removing it completely from residential and commercial, what would you recommend we do?

Craig Minor: Then I would say do nothing I'm this close to the hearing and let it die a quiet death and direct me to write an amendment that eliminates LID completely if that's what the Commission wants.

Chairman Pane: What about the earlier petition, will that stay in, or would that cause both of them and let them both die....

Craig Minor: Well, the earlier one is in the subdivision regulations so you would have to amend the subdivision regs if you wanted to delete it completely from the subdivision regs as well. So, yes, I guess by the same token, let that one die quietly and direct me to write an amendment that eliminates LID from the subdivision regs, as well as the zoning regs.

Chairman Pane: All right, let me see if I'm hearing from the other Commissioners? I think Commissioners Woods and Claffey and Lenares agree with me that it's extremely burdensome on the residents and the commercial people. I think it's been hindering our development, and most importantly, our soils are not compatible for this type of drainage.

Commissioner Haggerty: Are you talking about getting rid of the LID completely? Are you going along with that Craig was originally suggesting of removing up until five parcels.

Chairman Pane: I would like to remove it completely from all residential and commercial development. We have other drainage requirements that I think are sufficient and I think this has been hindering some of our development, and our soils are not compatible.

Commissioner Haggerty: Sounds good.

Commissioner Gill: Go. Do we have anything in the pipeline now that this would be in time?

Chairman Pane: I think we have a few things possibly and what I'd like to do is I think it would be important to retroactive when if there's a development that hasn't come in yet, but by removing the LID from their drawings, they could bring development in then, then I think it's a plus.

Commissioner Fox: That's a good question, Commissioner Gill. I can see where the Commission is right now and would be very much against LID. I'm just wondering, and I don't believe I was on the Commission when the LID was thrown in but it seemed as if everybody was really game for it, and now we see not, so maybe in the future we should, as we did with the motor vehicles, really think twice and three times before we do something like this. Let it die a slow death.

Commissioner Lenares: I just want to reiterate what I said before, I mean, I'm no architect or builder, and the only reason I was obviously against what there is, is because I had to pay for it, so I could understand what some of these residential people are going through, and commercial people are going through and it was brought to my attention how bad it was going to be. Take my case, it was to take all of my roof water and then put it into the corner of my property with this little retention area with some sand and, as Commissioner Woods was alerted to earlier, how costly. My architect and my builder were like, why would they want you to do that. There are great regulations that are in place to protect a building on an adjacent lot and they were appalled that I was going, almost going to have to do this, and thankfully I didn't have to because of the obvious amount of money that I would have to have spent. Thank you.

Commissioner Sobieski: I agree, I think we should remove it. I'm just, I was trying to think as to why we had to put it into to start with. I think it was a....

Chairman Pane: I think there was a grant, if I'm not mistaken there was a \$50,000 grant to do it and to have somebody come in and they spent a few dollars and had the regulations made up and they they did some work and finally wanted to give it a try, but I really think it's hindering our business.

Commissioner Sobieski: I agree with you. I think it should go.

Commissioner Woods: I think originally it was one of those things that was well thought out, and they thought that it would work, and I think the regulations actually were written pretty loose where it was left to administer it and unfortunately I think that didn't work and I think it needs to go. So while I think there's you know, the best intentions and I think they're trying to enforce our regulations, but I think the best thing in this particular case is to just take it out.

Chairman Pane: I agree Commissioner, and the biggest problem is our soils don't allow this to drain, our clay soils are prohibiting that drainage, and so the LID works in many other towns okay, but it just doesn't work here in Newington, so if there is no objection, then we'll close Petition 09-20.

Craig Minor: Mr. Chairman, do you want to see if there is anyone in the audience that wishes to speak.

Chairman Pane: Yes, we can do that.

Gail Budrejko: I remember all of the discussions that you know were going on for year and you know past years, months, whatever about this that led and the only thing I'm wondering about is, wasn't it conservation and wetlands, at least a part of it, or party to it. So just as courtesy, I was just wondering whether you should either notify them or let them know that this is going to be done, because you know, there's always been issues about communications between different commissions in town. I know that they would be interested in this, perhaps so just a thought if you can kind of let them know what you're considering, to let them know if you are going to have a public hearing on this.

Chairman Pane: Great point Gail, I agree. I appreciate that and will have the Town Planner notify them. Thank you.

Commissioner Woods: Yes, speaking on the Wetland commission, I believe they can have their own requirements for LID for the permits they have to issue and if in fact, they want to move forward with that, because they tried a few years ago. They didn't bring those motions to the Council, the Council needs to approve it for them to move forward.

Chairman Pane: Thank you Commissioner Woods.  
If there is no other discussion, and no further comment, we can close Petition 09-20.

Commissioner Sobieski moved to close Petition 09-20 and the motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with seven voting YEA.

D. Petition 10-20: Zoning Text Amendment (Sec. 3.11, 3.16, 3.17 and 9.2) regarding Breweries and Brew Pubs Newington TPZ Applicant.

Craig Minor: The zoning regulations do not currently allow brew pubs and there are a lot of businesses, a lot of activities that aren't expressly listed in the zoning regs, but we find a way to deal with them. This is different. The typical brew pub, as I said in my memo, is a hybrid of two activities that normally the zoning regulations wouldn't want to take place in the same place, namely manufacturing, which is what the brewery processes and restaurants. We need to amend the regs to be able to create the opportunity for brewpubs if someone wanted to open a brewery in an industrial zone. Other than site plan approval, I'd give them a permit tomorrow because brewery is just another manufacturing activity. But, when you combine a brewery with a sit down café or restaurant, that's okay, but that's something different and that's why we need to jump on the bandwagon and to get a brew pub or more in Newington, we would need to amend the regulations. Now, as I was saying to some earlier today, the regulations have what we call pyramid zoning regs. So if you look at the amendment, you notice that I only proposed changing the special permit phase for the business zone because anything that's allowed in the B Zone is also allowed in the Business Berlin Turnpike Zone, is also allowed in the PDA Zone and I think even the town center zone, so that's why the amendment only references the business zone. This would make brew pubs allowable in pretty much any commercial zone, and pretty much in any zone in Newington.

Chairman Pane: Thank you Craig.

Commissioner Claffey: I have two questions for this. Mr. Planner, you spoke of the sale of alcohol, the manufacture and the food, so I wanted to just get some clarification because you can go into a brewery that just sells its own product with no food, and then you can go into a business that you're saying can do all of that above, sell food, sell their beer that they manufacture on site and still just manufacture and sell it out to distributors, etc., That was my first question. Is that what you're wrapping this all into, so that someone could say, okay, I'm going to open a facility and I'm just using the North Mountain Road as a manufacturing plant. And then they're like, oh, can have a little retail establishment front to sell my beer by the can, by the bottle and then I want to have it where I can drink on site, and then you want to be able to mash in, oh I can sell food or have a restaurant. I'm just trying to clarify it.

Chairman Pane: For this amount of food, food trucks....

Craig Minor: Let me answer just Commissioner Claffey's first point about a brewery that sells some of their product on site, technically, if somebody wanted to open a brewery in Newington today, I'd be fine with that, but I would tell them, you can't sell them and I'll use the analogy of a dress factory. If someone wants to manufacture dresses, they can't automatically retail them from the front of the store. I would probably work with them, and call it a, I don't know, like a some word for it that doesn't, that's not strictly retail, but secondary and accessory to the manufacturing, the sale, even for consumption off premises, it's not something that I would automatically let someone do if they had a brewery in Newington unless we had this rule. This rule would make it possible for them to be able to sell for consumption off site.

Commissioner Claffey: Now let me ask you the second part of the question. Many years ago, in front of Lowe's, there was a restaurant called Hops. Correct me if I'm wrong, but did they manufacture the beer on site so you could come in and get a beer and walk out of the brewery. It was more of a sit down restaurant with a brewery attachment. They sold their own manufactured beer on site. I'm so happy you brought it up earlier about like the exemption of it if it's in a distance, it's included, you know, unilaterally. So, something like that, which is different than a company coming in on you know, maybe wants to come into the old Best Market and put in a manufacturing site of that business and sell beer out of the side door. With this change, you would be able to allow all of the above,, meaning the Hop restaurant example. And you know, new agent brewery company selling their beer with no food.

Craig Minor: Correct. And your earlier point, which is a good one about how Hops was able to operate, that's before my time, so I don't know, my guess is that Ed Meehan wasn't as strict as I am about having things in the right place at the right time.

Commissioner Claffey: Thought with your changes here, proposed changes, we would basically be opening our doors to all of the above, meaning a company that wants to be like a brew pub or being a brew pub that may produce their own, sell their own, and have a restaurant included and or a more traditional new age brew pub, which is they produce the beer in the back, and you buy them in lie, you want into their little 10 by 50 run retail area and you buy a six pack and you're out the door.

Commissioner Claffey: You are saying that you're making this a special exception, they have to come and get a special permit.

Craig Minor: Right, so you have the ability on a case by case basis to approve one but not the other, because you felt one of them would be detrimental to the neighborhood or for some other good reason, but the first one fit perfectly.

Commissioner Claffey: Wouldn't that be like selecting who cannot come and open a business in your town?

Chairman Pane: No, Not necessarily, it might not comply with everything or there could be other issues, maybe and that's why we didn't approve it, but by special exception, at least you have the ability to organize something so that it's not just automatic.

Commissioner Claffey: And the ability to approve it if it meets all of the qualifications.

Chairman Pane: Exactly.

Commissioner Haggerty: What is the language as it's written today? What is legal in Newington? Nothing?

Craig Minor: Right. If someone wanted to open a brewery in an industrial zone, I would give them a permit today, but that's not what people want, they want to operate a brew pub or restaurant.

Commissioner Haggerty: Got it, thank you.

Commissioner Sobieski: My question is to the Planner, maybe we should look at what in the past Hops was. They brewed right on site. And you could have a meal there and stuff like that. Now, I've been out to the Willimantic Brewing and they have the same set up there. I don't remember if they sell stuff out of the store, and the location on 178 in Bloomfield there is a mini brewery there. If there is a lot of interest in this, it would be like a spot destination point, an attraction for people where they can then leave there and do other things within a walking distance. Again, my second thought would be that you're not going to have something like the Hartford distributors, where they have 30 or 40 trucks going in and out just delivering to package stores that would be my question with the traffic volumes no matter where you put them.

Chairman Pane: Thank you Commissioner Sobieski. As far as the Hops was concerned, I was on the TPC back then and when it was presented to us, they got their liquor license and it was just being used in the store, in the restaurant, there was never a problem. It wasn't like somebody was coming off and buying that manufactured beer and leaving the site with it. They were just using it on site. So that was what was going on with Hops.

Commissioner Lenares: I can't stress enough that we talked about that special exception, that the applicant would have to come before the TPZ to get the permitted use, but more importantly, I think we have to give the Planner a little bit of kudos here because we are way, way behind in time for allowing our regulations as they are in town. These brewery pubs or brew pub restaurants, I've seen them pop up in many many towns and they are flourishing. In terms of

success, people are flocking to these places, it's kind of the thing to do now, whether you like it or not, I'm not a big craft beer guy, but people love these places. They go to them on weekends during the week, they take them home, I think it would be awesome. Check to see what other towns are doing, to promote different types of use, like you said, just a brewery, a brew pub, a brew pub restaurant, see what they're doing to take the initiative. To come up with something innovative to maybe attract these things to our town. They're huge in other towns, and I can't stress it enough. If you guys have never been to one, I'm amazed at the number of people. I think by taking the steps forward to make this a special exception that people come before with the special exception I think is great. I think it helps us and help the people around them to make sure that's it's appropriate to where they go.

Commissioner Haggerty: Just to chime in, you know, echoing Commissioner Lenares, is that these things are gold mines and you know, I don't know why anybody would necessarily be against them. Brew and Brew pubs attract good crowds. I don't know why, and other than you know, Commissioner Sobieski presenting a major distributorship but I think those are few and far between.

Commissioner Woods: This is an excellent idea I hope that the Commission moves forward on this, it's probably one of the fastest growing businesses in the state. They attract large crowds, and they usually attract and find a place in an industrial area that has large buildings where they can occupy a large number of people and have some sort of a food component to it, and I've got to think it would be an excellent addition to the town and I'd like to see this move forward.

Chairman Pane: I think there is the possibility where you allow these types of businesses to have different food trucks come in for the food aspect and give them that flexibility similar to the establishment on John Downey Drive where every now and then they'll have a different food truck there and that could be a possibility because we've had a difficult time finding a place for some of the food trucks so this could be an opportunity for the food trucks and breweries and possibly provide them some additional businesses for our grand list.

Commissioner Fox: I do agree, I agree with Commissioner Sobieski that the people really don't want to see another Hartford Distributors in Newington. Some of these craft beers, as you say, but I also would not like to see it confined to just the industrial zone. I mean, one of the residents mentioned that when Keeney Manufacturing is gone, I think that would be a great place, but one thing that I would not like to see are the food trucks. If they are going to want food, they should probably apply for a restaurant permit.

Chairman Pane: Thank you. Just so you know, this is being proposed for all zones, not just one zone, everything except residential.

Commissioner Lenares: Just as this industry develops and evolves I think that initially some of the stuff that happened like with the one that you referred to on John Downey Drive, I don't think initially they were allowed to have food within their building. Maybe it's because of New Britain's regulations, but now that these are becoming more than just breweries there have been other brew pub restaurants. You are seeing some of these facilities open with internal restaurants. I don't think it's an issue that we should be against food trucks. I don't think we should be for them. I think if the applicant would prefer not to have an internal kitchen and to have Chuck's

food truck on site, I think we should be behind it, of course, regulated. Look at what they are proposing. I think that's a great idea. I also think that the vision of just putting them with nothing around it, I don't think it should be deterred from coming to town. Some of these are nestled in some back industrial zones and New Britain and other towns. And that's up to them. I mean, good for them if they think they can make it there. But if we can put them in the middle of something where, yeah, they go to the brewery and then walk to a few other places, I think we should be welcoming this rapidly growing industry to the town as much as we can. You know, regulated special exception permissions, all of that, but we should be opening up to this as much as we can and I can't stress it enough that you know the Planner going ahead and being innovative with this and anything that we can do to get behind that I think we should.

Chairman Pane: Thank you Commissioner. I agree that flexibility is really important and that flexibility will help the businesses, so I have no problem with these businesses having either a restaurant or having the option for a food truck. Personally they usually only do one food truck usually and then they change the food trucks up sometimes and for a food truck sitting next to an industrial building somewhere would not bother me and because we are doing this by special exception we get to look at every aspect of it and put protections in. I'll ask the Planner, do you think that we have to make any modifications to this after listening to the Commissioners?

Craig Minor: I was thinking on this, your point about allowing food trucks, I think what I would like to do is add one more special permit in the industrial zone and that would be a food truck on the premises of an approved brewery So it wouldn't be somebody with a tool and die shop couldn't have a food truck there, but an approved brewery could have a food truck.

Chairman Pane: Okay, sounds good. You want to make those changes and we will keep this open and you can make those changes and present them to us at our next meeting.

Commissioner Claffey: A question clarification Mr. Planner, putting in that additional verbiage for food truck, when you use the word just brewery, would you also include that and brew pubs.

Commissioner Haggerty: I have a quick question to Commissioner Sobieski, what is the (inaudible) distributed that you guys were talking about that you are concerned about?

Commissioner Sobieski: Hartford Distributor in Manchester. Most of that, I think is Budweiser. I forgot how many other companies are in there, and they go on out to all of the package stores and bars and deliver beer and stuff.

Commissioner Haggerty: Your concern was with this potential .....

Commissioner Fox: Sales distribution point.

Chairman Pane: We have the ability through special exception to allow that where it's appropriate because that would be a big facility, something like that, and I don't think that's really the intent of the regulation. Am I correct?

Craig Minor: Actually if a major distillery wanted to open an industrial zone, that's permitted because it's a manufacturing process and if they were so successful that they put lots of trucks on the street, taking their product around the state or the country, I'm not sure that's a bad thing.

They would only want to put their business on a major street so I don't think that would be a problem. We should have more problems like that.

Chairman Pane: Yes, that would be a plus for the grand list I would imagine.

Craig Minor: Exactly.

Commissioner Claffey: I know that some of these places get so good that they become manufacturers for other small breweries around the state that don't want or can't afford to put up the money to become a manufacturer. There is one in Bridgeport, Two Roads Brewery. They are contract brewers, and also they have everything that Craig is basically putting in front of us, they have that and are very successful and they've gotten bigger and they're in an interesting location down in Bridgeport so I wouldn't want to kind of you know, tie the hands of a manufacturer that may want to come in here and take up one of our many vacant old manufacturing building with the intent of hey, we want to become a distributor for other things. Secondly Craig, this is specific to you, you brought up the word distillery Is there a need? I mean with breweries, I see it in the state. There's many distilleries now in town. Do we need to include that language because it's the same concept? It's just a different product. There are many distilleries that have food trucks that come, is it time that we can grab that same verbiage?

Craig Minor: That's a good question, I think if someone approached me today and said that they want to open a distillery in Newington in an industrial zone, just like I told you earlier with a brewery, I would probably tell that person yes. It's just another manufacturing place, sure come on in. So if you want to be really proactive, I guess I could add a definition of distillery so that if someone does want to do one in Newington it would clearly demonstrate that the TPZ is open to a distillery as well.

Chairman Pane: I think that's a good thing to add, I think that's a great point Commissioner Claffey.

There has been I think there been some small ones that have popped up with food if I'm not mistaken. So it's just another tool in our tool box, where we can try to bring some businesses into town. So if you could do a little bit of research and make some changes to this for our next meeting that would be good. I'm going to open this up for public comment. Is there is anybody in the public that would like to speak?

James Krupienski: Nobody Currently Mr Chairman.

Chairman Pane: Thank you.

## **VII. APPROVAL OF MINUTES**

Craig Minor: At the time that I did the agenda, we did not have two minutes. So no action on that but to Commissioner Claffey's comment earlier, I did check with the town clerk and yes, you are there so when we do get the minutes to be approved we can ask Norine to revise them or when we approve them with the correction that shows that Commissioner Claffey was here so they are all correct for the next meeting.

**VIII. NEW BUSINESS**

Chairman Pane: I believe that the applicant has left, and we're going to be talking about tht at our next meeting. We don't have anything to act on.

- A. Petition 17-20: Site plan Approval (Gas Station/Convenience Store) at 4 Hartford Avenue, Diyala LLC< Applicant; Newington Gas Distributors LLC, Owner; Jawa Shalo, 3 Bucks Crossing Cromwell CT, Contact.

**IX. OLD BUSINESS**

None

**X. PETITIONS FOR PUBLIC HEARING SCHEDULING**

None

**XI. TOWN PLANNER REPORT**

Chairman Pane: We have the need to put someone on the Housing needs study and I would strongly recommend Commissioner Woods and he has shown interest in this and I think that is a very important committee. So if there are no objections from the Commission could I have a motion to put Commissioner Woods on this committee?

The motion was made by Commissioner Havens and seconded by Commissioner Claffey. The vote was unanimously in favor of the motion, with seven voting YEA.

**XII. COMMUNICATIONS**

Craig Minor: We could give an update on any of the restaurant openings. We have some Mr. Chairman. When I prepared my report a week or so ago, at that point, we had approved seven requests but since then, we've approved I think two or three more. I know I sent an email with the list. The town's most recent ones are Plaza Azteca and Stew Leonards and if anyone has questions about any of them, I'd be happy to speak to you.

Commissioner Woods: I would like to just thank, again, you and the Planner for turning these applications around as quickly as possible so that we can get these businesses back open. I think you've done an excellent job today and I know that you will continue that to keep these businesses open.

Chairman Pane: Thank you. The staff has been unbelievable, the Town Planner, the highway department, the Fire Marshal everybody's been outstanding on trying to get these restaurant up and running as fast as possible and I commend the town staff or all of work that they have done. Do you have anything else Craig?

Craig Minor: Covered the outdoor restaurant seating, we just spoke about a one paragraph update on the POCCD that's waiting for the public hearing in two weeks, and then I spent a couple of pages talking about a couple of regulations that you've asked the staff to look at.

The personal business regulation, which is the way people with small businesses are allowed to conduct them from home, from the kitchen table and the commercial vehicle in residential zone regulations which sometimes become conflicted and sometimes become problematic. So as I said I prepared a long memo discussing the issues. I concluded in part of my memo, I say, I suggest the TPZ consider amending the code for personal business and regulation.

To allow landscaping contractors, so long as no piles and any other heavy equipment is kept either in the garage or on the driveway, and not in the yard. Technically if you're a landscaper you can't have a personal business because by definition you have special equipment and you can't use special equipment and be eligible for the home business regulations and yet that's probably the lion's share of our small operated from the kitchen table business are landscapers so I'm suggesting you consider changing the rule that prohibits special equipment as they would apply to a landscaper, and then the other big thing I'm suggesting is when we amended the commercial vehicle regulation, this is the way that we prohibit people from having inappropriate vehicles in their driveway, and yet still allow contractors with pickup trucks, vans and so forth to drive their van home at night and leave in the morning, but the regulations we came up with quite a while ago, it's become a monster. As I say, it's complicated. It's confusing and we get into a lot of debates with homeowners and with neighbors who don't think we're enforcing it correctly. So I would strongly suggest that the Commission streamline it, and I'd want you to read it yourselves quite carefully first, but I really think it should be streamlined.

Chairman Pane: Okay, I think on this, maybe it might be helpful for us to review some of these things before you come up with them, informally first before we put it on the agenda. Is that possible?

Craig Minor: Certainly.

Chairman Pane: And there was one other thing, going back to the restaurants, Subway requested, and we proposed a location for them. But I think it was the day afterwards there was an executive order to the DOT to allow restaurants to have put seating in a DOT right of way and at the time the Planner and I gave them a different option, but because of that new executive order if the Planner doesn't have a problem with it, or the other Commissioners don't have a problem with it, I would allow them to do that.

Craig Minor: Actually Mr. Chairman I do have a problem with that. I saw the executive order you're referring to, and I believe, I'm pretty sure that order was referring to a situation in, I forget what town, Willimantic or some old town that had a Main street that was also a state road.

Commissioner Sobieski: And the restaurant on Route 66.

Craig Minor: One the sidewalk, which was technically in the highway right of way, and that made perfect sense. On the Berlin Turnpike though with cars going 60 or 70 I think having a table by the side of the road is not a good idea.

Chairman Pane: Let's paint the picture, like the tables next to the side of the road right away. There is over 60 feet wide and it was on the grass area, just off of the parking lot. But if you're not comfortable with it, then we'll keep them with the options that we gave them.

Commissioner Haggerty: A question Mr. Planner, and you're talking about the personal business and landscaping contractors, you know would have heavy equipment with that, could have you know, a backhoe or another loader fall under that category of heavy equipment and if so, does anybody else have any problems with people keeping big giant loaders or backhoes in their driveways. I'm just curious what anybody else thinks about that.

Chairman Pane: I think that's a good point and I think that is something that we are going to have to discuss because that will come up.  
A barricaded fence, a screening, you know, there is a lot to this and that's why I think we need to review it informally before we propose something.

Commissioner Claffey: I just want to reiterate, I think it has to be reviewed a little more. What about the classification of a vehicle? I don't think a snowplow is a vehicle. It's a secondary part. And I think it's this is something that I have said for many, many months now, something that I don't think should be taken lightly. I think we need to, you know, hash it out. Get a little bit deeper into this, but also put it on the back burner, per se, but I think this is more geared since Newington has an abundance of small business owner with vehicles, etc. And I don't know how keen it would be to try to discuss this in depth over a zoom. Maybe as the state ratifies and lessens the rules for us to attend in person meetings, I think our first meeting that we can have back at town hall, this needs to be on the agenda and for the public to come in and kind of get a sense of where we as a Commission may stand and where we as a town stand with this. I mean if we built this, Mike D'Amato did most of the legwork on this prior to Andrew coming on board and there are, you know, metro planners and there are some things that can be shaved off that we may have thought would work. But if it now caused a little havoc to the residents of our town, so it's not a small undertaking and I think we just need to discuss it and a lot more in depth.

Maybe after the summer, maybe September when Coven hopefully if possible lets us get back into a regular format where we can have a multitude of residents and business owners come and discuss the issues they may have with it. That's all. Thank you.

Commissioner Gill: All right.

Commissioner Sobieski: I think Commissioner Claffey has a point, it needs to be taken and really looked at. It's going to be a long, not a long drawn out affair, but I think we need to really look at it, and modernize it a little bit, just my opinion.

Commissioner Gill: Okay. Craig, just to consider with the pandemic, Eversource is requiring a lot of their personnel to bring their vehicles home, and they, you know, they have the name on it, and you know some of them are, might fall into a forbidden category.

Chairman Pane: That's a good point Commissioner Gill. There's a lot of companies that require they're either on call and they are required to bring these trucks home, and they don't really comply and I think that's the whole point here is trying to make it, you know, after all,

we're a working group in Newington and we're going to get some vehicles and I don't think we can have a, I think we can do this is a way that helps the residents but still protects the other residents. I think we went a little overboard on some of this before, but I think that Commissioner Claffey has a great point that maybe discussing this as a group, informally and then waiting until we can have a meeting with the public to present this to the public would be the proper way of handling it.

Do any of the other Commissioners have a question or comment? Does the Town Planner have anything else?

Craig Minor: No, that's it. Thank you.

**XIII. PUBLIC PARTICIPATION** (For Items not listed on the Agenda; speakers limited to two minutes. Use the Zoom "Raise Hand" Function.)

None

**XIV. REMARKS BY COMMISSIONERS**

Commissioner Sobieski: I'd like to personally wish Tom Gill best of luck. I'm glad he's back I know he was in the hospital for quite a while. I did see on TV when you got out, and thank you Tom,. Glad to see that you are back.

Commissioner Gill: Glad to be back.

**XV. CLOSING REMARKS BY THE CHAIRMAN**

Chairman Pane: Any other Commissioner comments? I would personally like to thank James for this and for providing all the assistance for this meeting. I greatly appreciate it.

**XVI. ADJOURN**

Commissioner Sobieski moved to adjourn the meeting seconded by Commissioner Fox.  
Meeting adjourned.

Respectfully submitted,



Norine Addis,  
Recording Secretary

**NEWINGTON TOWN PLAN AND ZONING COMMISSION**

May 13, 2020

Zoom Webinar/Meeting

- I. **PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL AND SEATING OF ALTERNATES**

Commissioners Present

Chairman Domenic Pane  
Commissioner Michael Fox  
Commissioner Garrett Havens  
Commissioner David Lenares  
Commissioner Stanley Sobieski  
Commissioner Hyman Braverman-A  
Commissioner Thomas Gill-A  
Commissioner Bryan Haggerty-A

Commissioners Absent

Commissioner Anthony Claffey  
Commissioner Stephen Woods

- III. **APPROVAL OF AGENDA**

a. No Changes

- IV. **PUBLIC PARTICIPATION** (For items not listed on the agenda; speakers limited to two minutes Use the Zoom "Raise Hand" function)

Chairman Pane: If there is anyone from the public who happens to be on Zoom?

James Krupienski: There are two individuals who have raised their hands, so with your permission Mr. Chairman, I'll have the first person speak.

Gail Budrejko, 21 Isabelle Terrace: I know tonight you are going to be discussing, which I think is wonderful the outdoor restaurant seating, but the Executive Order also mentions allowing retail businesses to get on the first track permission to sell retail goods on sidewalks, or other outdoor areas, including shared spaces or spaces provided by the municipality, so I was wondering if you would consider or if you would look to accommodate any retailers because we have a lot small businesses in town that might not be able to fully reopen due to space limitations or whatever, or even some of our larger retailers who might want to do this, so I was just wondering if that would be considered in addition to restaurants, assuming that these retail establishments could get some sales outside as long as they comply with social distancing.

*Domenic Pane*  
Town Clerk

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We need to send a message to all businesses that if there is something that we can do and they need outside areas or something for the retail space, I agree with you. We can try to accommodate them anyway that we can. I think that the difficult thing is getting the word out to everybody. We need to work closely with our business community in order to keep it thriving. I agree with you,  
Do we have somebody else?

James Karpinski: We do, the next individual who is looking, you are now live. Please state your name and address for the record.

Rose Lyons, 46 Elton Drive: As I was thinking about what I had to say I think I answered my own question, but maybe I will say what I had to say. Is it correct, my understanding that blight and the zoning violations are two separate matters? If so, my concerns are on the letters that have been going out regarding blighted property, so I think that would probably be best addressed with the Town Manager and I did address it with the Town Council last night. So it was a little good lesson for me learning how to get in on the Zoom meeting, thank you very much. I hope you all are well, stay safe, and I'll be watching. Thank you.

Chairman Pane: Thank you Rose. We do have I think Andrew on, if he wants to explain the difference between the two.

Rose Lyons: I know the difference between the two, and when I saw the zoning enforcement officer on the agenda tonight, my question was going to be, and I probably should ask it anyway, I've always had a problem with not being able to speak on agenda items and I just maybe would like some clarification. Do you consider an agenda item his report, the Town Planner's report, or is it just applications that you refer to?

Chairman Pane: I have flexibility on that, you can speak about anything that you would like.

Rose Lyons, Okay, that's it then. Thank you very much.

Chairman Pane: Thank you Rose. Is there anybody else from the public?

James Karpinski: We have one more individual, they are indicated as C-A-R-A.

Cara Santoro: Hi, this is Cara Santoro, my first name is spelled C-A-R-A. The first thing I want to point out is that in the last meeting, in the notes and I was quoted when you printed out the agenda as Carla, that's not my name, but a lot of people make that mistake. It was also, I was quoted as saying I think we should look around Newington for some more TOD areas for low income or moderate income housing. I never said that. I am opposed to putting it at Newington Junction. I brought up all of the places where we already have it, the two bordering towns, parts of West Hartford that have it, and I finished by saying let's care about the current homeowners and residents of this town and stay the moratorium on affordable housing. So, as another neighbor said it so beautifully, give us a reason for wanting to live in this town. That is exactly what I said, and I'm really upset that I was misquoted as if I was for the agenda that some people are trying to push forward.

Chairman Pane: Where were you quoted in that?

Cara Santoro: If you look in like the meeting notes, I looked on line to see what the meeting notes were from last time....

Chairman Pane: Do you have the date? If you could get the date we could make a correction I believe, right Craig?

Cara Santoro: I can probably get it to you before this ends, but yes, I could do that.

Chairman Pane: If you don't do it before this ends, call the Town Planner and give him the correction and the date and we will get it on our agenda, and we will correct it for you.

Cara Santoro: Okay, I appreciate that. I'm also still concerned about Newington Junction. It's not like the other two areas where you want to create a TOD zone. This is comprised of single family homes, some that are over a hundred years old, and the other areas don't abut residential zones like the Myra Cohen way and the proposed train station. Both of those are basically undeveloped or in a stage of development. The Junction again is more residential than Industrial, and one of the business, West Hill Automotive which has been there for years, and has a few residential houses and I remember correctly DOT wanted to put a railroad stop there but that was changed due to the fact that they couldn't accommodate the parking area and it was so far away from major expressways. Over the last few months, there has been a big push by several members of elected boards to try to force, to move the train station back to this location when the State already said no. The Town is already inundated with huge volumes of traffic on both sides of the town roads. Being here over thirty years, I am opposed to any major development in this area that would destroy the neighborhood. In a small town like this, as I said before, we don't need another TOD area plus the ones that we already have in town. So, I'm just requesting that the Commission leave Newington Junction alone, and that any new or amended zone changes be done at a later date when full public hearing can be held instead of trying to put it on like tonight, and like Commissioner Woods did with the housing moratorium, since the plans will be the basis for the next ten years, I would want a full public hearing instead of putting it on something like this. I think more of the town people need to participate, be there in person.

Chairman Pane: Thank you very much.

Cara Santoro: You're welcome.

Chairman Pane: Our next items is the Zoning Enforcement Officer report

## V. ZONING OFFICER REPORT

Andrew Armstrong: Does anyone have any questions on the April 2020 ZEO report?

Chairman Pane: Andrew, before we go into questions, do you want to explain to people your procedures on what you are doing, if any complaints come in, how you are handling them, and then how you are handling blight and also I think we talked about certain things that you were going to be working on for possible changes to the regulations to make it a little easier on certain parking requirements and things like that. If you could hit on that a little bit for the Commission I'd appreciate it.

Andrew Armstrong: Blight is actually totally separate from Zoning, but I will say for both types of complaints right now I'm going out and speaking to people first trying to have a face to face conversation with people of course using social distancing and the proper precautions. In addition to that we are looking into working on some zoning regulations changes but I believe the Commission wanted to do that at a later date. For the time being we are kind of temporary hold for zoning violations, but we are going out and speaking to people resolving it that way if possible, and keeping a record of what is coming in. If there is something that is really egregious, then we will discuss it with Chairman Pane and decide if it is something that needs to be addressed for safety or otherwise.

Chairman Pane: Okay, very good. Thank you very much. Are there any questions from the Commissioners?

**VI. REMARKS BY COMMISSIONERS**

None

**VII. PUBLIC HEARING**

None

**VIII. APPROVAL OF MINUTES**

Chairman Pane: We have TPZ minutes from April 6<sup>th</sup> and April 22<sup>nd</sup>, regular meetings.

Commissioner Fox moved to accept the minutes of April 6<sup>th</sup> and April 22<sup>nd</sup>. The motion was seconded by Garrett Havens.

Commissioner Sobieski: I thought the lady just said there was an issue with one of the minutes of the meetings. We can't approve both of them.

Craig Minor: Chairman Pane, I noticed that she said the meeting notes, not the minutes, so I think there was something in the agenda packet that she read on line something that she said, but I don't think it was the minutes that she was speaking about. That was just my impression.

Commissioner Sobieski: I thought it was right here, Planning and Development minutes here.

Glenn Chalder: I'm looking back at the minutes from the February public informational meeting, the one on February 26<sup>th</sup>, and I believe that Ms. Santoro is, her name is misspelled on page 6 of those minutes, so if that helps the Commission at all, I think the corrections to her name would be in the February 26<sup>th</sup> meeting minutes on page 6.

Chairman Pane: I think the best thing to do Commissioners would be to approve these and then if the woman contacts the Planner then the Planner will get the detailed information on which minutes need to be corrected and then and then we can always go back and correct the minutes.

Commissioner Sobieski: That's fine with me.

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

**IX. NEW BUSINESS**

a. New Plan of Conservation and Development

Glenn Chalder: Good evening, it's nice to see you. I don't think any of us thought it would be quite this long before we got back together again, you may recall we had a public informational meeting in February in regard to the draft of the Plan of Conservation and Development. There were a number of comments received at that meeting and also a few following in terms of correspondence. I put together a chart of public meeting comments, hopefully you have that at your disposal and I'd like to treat this with your approval as sort of a consent addenda. There are a number of comments that I think are not policy oriented and improve and enhance the plan and I have I have identified those as change recommended, and all of these comments are numbered so if anybody doesn't have it, just speak up and we can go through them one by one.

There are some other comments that were made that I think were already addressed in the POCD so in the column on the right, I have identified those as deemed necessary with a question mark for the Commission. I think based on our prior discussions that issue may have already been addressed. Then there are some other issues that I have identified as TPZ discuss and these are things that were brought up at the public meeting that either asked the Commission to change the information that is in the POCD or it's a policy decision on the part of the Commission and for me to help you by incorporating your thoughts and wishes into the POCD.

Does everybody have this chart at their disposal? Does it sound familiar?

Chairman Pane: Yes, everyone should have it in their packet.

Commissioner Fox: I might get mine today, my mail doesn't come until about five or six. I'm on the town web site, so I'm okay.

Glenn Chalder: Mr. Chairman, with you permission, what I would like to do is walk through really quickly the Chapter by Chapter the various comments that were made and get some guidance from the Commission on how to proceed. Does that sound reasonable?

Chairman Pane: Yes it does.

Glenn Chalder: Some general overall comment, people noted that the Table of Contents doesn't have Chapter Numbers in there, and we used those through the Plan and they asked that those be added. They also asked that page numbers be put on the map pages so that we could refer to them, we numbered pages before and after them but nothing on the map pages. With your consent I would propose to make those changes, and then there

were some general comments about people liked the POCD identified areas where development should occur and felt it was a good POCD overall. So those are the general comments. Does that sound good?

Chairman Pane: I don't have a problem with that. How about the other Commissioners?

Commissioner Sobieski: I have no problem with it.

Commissioner Fox: Okay.

Glenn Chalder: The next three chapters in the plan, the Introduction, Conditions and Trends, and Natural Resources no comments were made in regards to those items. With regard to the Open Space Chapter a comment was made at the meeting that they liked the concept of open space connections and creating a network and suggested that specific properties be identified for preservation and I think Mr. Chairman, and Members of the Commission that has already referenced in Action Step Number Two on page 28, so I don't think any additional change is necessary there, unless the Commission wanted to strengthen that language in some way, shape or form. My comment is no change necessary, question mark.

Chairman Pane: That is referenced in there, the trails that you are speaking about, where the trails would go, what properties and everything, so I think that is all in there. Any Commissioner questions up to now? Okay, proceed Glenn.

Glenn Chalder: No comments on Chapter Five, Community Character or Chapter Six, Sustainability/Resiliency. So that is the first page of the report, now we are on to page two. The first portion of the top is Chapter Seven, relating to Newington Town Center and there was some concern expressed that since Cedar Street carries such a high volume of traffic, that trying to encourage a village type development might be a bit of a challenge and wondered how this could be addressed. In the Plan, it recommends a public participatory process often times referred to as a Charette and I think that is exactly the type of issue that could be discussed as part of that process. I'm not sure that we need to say any more here, and that is why I identified it as no change necessary. How does the Commission feel about that?

Commissioner Sobieski: Fine with me.

Commissioner Fox: Agreed.

Chairman Pane: Sounds good.

Glenn Chalder: Chapter Eight, this is the Opportunity Areas/Sites, there are a number of comments that were brought up and I have a number of notations here in the margin for some guidance from the Commission as how you would like to proceed. The first comment which I think the Commission hear reiterated this evening in the public comment section was with regard to the Newington Junction area. There was concern expressed about development which might affect existing homes, reduce the industrial zoning, reduce tax revenue, bring more traffic or otherwise change the character of the area. I think that as Newington looks to the future for ways to improve the tax base, or

address the opportunities presented by transit, Newington Junction is an area which could accommodate some change. I don't think anybody is talking about a dramatic change in the character of the area, but it is an area that identifies as having opportunity, so that is why we chose the phrase, opportunity site. I look for guidance from the Commission as to how you might want to modify or change the language that is on page 51 of the draft of the POCD.

Commissioner Sobieski: My concern down there is that it is mostly residential as the lady said earlier and to start going in there and making a lot of changes would really upset the people in there. My concern would be to try to leave that area alone. The other two areas that we have thought about for TOD are not like this area. We're not abutting residential, we're not changing the character of the area. Many people have expressed the fact that if you put too much development down there you are going to increase the traffic on the local road which is going to take away the character of the area. That is what the lady I think was referring to in her comment. I understand that it is a mixed use development with Day Street being Industrial but even when Day Street was in its hey day there wasn't as much traffic as there is now because people are using it as a cut through and I'm concerned with the high speeds through there so it's something that the residents of that area are very concerned about.

Chairman Pane: I understand their concern and everything, but I think everybody would agree that what we have there now, with the landscaper and the car dealer down there is not a pleasant sight. There must be something that we can do there to be able to clean it up, maybe it's not development, maybe it's just parking for the bus area there and cleaning it up and landscaping it or something, but there has to be something that we can do to make that area nicer for the residents over in that area.

Commissioner Sobieski: Chairman Pane, I agree with you. The issue is, the train station is on historical commission records, so I don't know, that would have to be moved I guess. There is a lot of fiber optics in that area too that run the entire length of the rail line. Whatever development is in there, you have to be very careful of the fiber optics that are in there. With regard to the landscaper and the auto dealer, I don't know, I think something needs to be done in that area. That, as far as I'm concerned is an area that could be looked at, but I don't think they would want to put something with high volume traffic in there. That is my concern.

Chairman Pane: I agree with you, we don't need high volume traffic in there, you're right. It should be more of a community area and built for the community there and cleaned up and some sort of separation between Day Street and the residents. Matter of fact, a lot of the buffer area over on the other end of Day Street got destroyed, and I don't know if that has been corrected yet, but we need to protect the buffers between the residents property and the Industrial property.

Commissioner Sobieski: I went by there, and all he has done is mounded dirt and put a few arborvitae in, again, I'm assuming that either Andrew or the Town Planner is keeping an eye on. That is part of the issue in that area, people just do what they want. Those are the comments that I have heard from the residents in that area.

Commissioner Fox: Mr. Chairman, for one thing, clean up is not development and I know you are talking about the landscaper and the other commercial industrial places over there, they do need some cleaning up, but I have to agree with Commissioner Sobieski and the woman that was speaking during public participation, this is not a place for major development. As I said, I think at the last meeting, there are a lot of older homes there, as a matter of fact, there is one home owned by Matt Nelson which may be on the border line, but still, it's pre-Revolution and to increase traffic and saddle the residents with that kind of problems, I would not agree. Thank you.

Commissioner Braverman: I agree with Commissioner Sobieski.

Glenn Chalder: Mr. Chairman, I notice also that the next item on this page, item 13 on the list was a comment also brought up at the public hearing and some of the other areas that we talk about in Newington as opportunity sites were recommending a charette which is actually a community driven process to evaluate what is possible, what is acceptable, what is desirable. For whatever reason, I'm not quite sure, that didn't get recommended for the Newington Junction area so we might have three options on the table. One of which is to leave the POCD the way that it is, the second one is with several comments seem to recommend that taking Newington Junction out as an opportunity site and then an alternative action if the Commission is interested would be to recommend a community participation to talk about what types of development, how can we clean up the sites the Commission has mentioned. Can address some of these other issues in a way that the neighborhood supports.

Commissioner Sobieski: If I remember correctly, when I first got on, at that time the Economic Development Director, Mr. Breacher, had tried to develop the entire area with putting in parks, making it look like a Blue Back Square down in that area, and that set the neighborhood off. You know, I understand where you are coming from, if there was a full transit node down there, with the rail stop, bus stop, that would make sense, but to have just a half a transit mode in there with the bus stop right now, even if you put additional parking you would have to have a shuttle bus to bring people up and over from Francis Avenue area to the other side, because nobody is going to walk straight up that grade there, it's about a four percent grade. So, I don't know the answer, I do know that at time Mr. Breacher had plans and people were all over the place with it, so you might want to see, have the neighbors meets and try to have some type of general discussion just in that area. It's only a thought.

Glenn Chalder: How do you want to proceed with page 51?

Chairman Pane: We also have the two other areas there, I mean, we have the Cedar Street one, there are no comments in here about the Cedar Street one. Is everybody comfortable turning that into a mass transit area with a 72 page regulation, TVDD, and are you comfortable destroying all our industrial property and turning it over to transit and housing. I mean, we need to talk about that too, I think.

Commissioner Sobieski: Chairman Pane, you are correct that the issue I have again is we need to be smart about what we are going to look at redeveloping. You know, the Crest

Pontiac issue there that got turned into housing I guess, I'm not one hundred percent sure what is going on there, and then we are going to lose some more Industrial area or possible area to get taxes with 3333 Berlin Turnpike. We do have most of the buildings on, that we have in the Industrial areas right now I believe are pretty much occupied, maybe a few vacant ones, but I think we have to be smart and look to the future and I think what the future would be is, we not going to have any big Fafnir or Fenn coming in here any more, but what we can look at doing is getting some small office type condos in there, or some....

Chairman Pane: The town has always been very successful in Industrial Parks for smaller businesses, so even though some of the Industrial properties are going away, the big 100,000 or 400,000 square foot places, there is a need for smaller companies wanting to have an area to build their own building. I just think that maybe the two areas, Newington Junction and the Cedar Street train station I think we need more discussion on it, and I would hate to have something in the POCD that makes it sound like we have already decided everything. Any comments from any Commissioner?

Commissioner Sobieski: Chairman Pane, I kind of think that you are dealing with three different distinct areas. You are dealing with Myra Cohen Way for instance, that's one area, and the area that is closest to that would be where the train station is going on Cedar Street. Those are both on fairly wide roads and can handle some capacity more of traffic. Not much more, but a little bit more. When you get into Newington Junction though, what are you going to do with traffic? That's the question. Now, when I grew up over there, Atrax was there, and from 5:00 to 5:15, you couldn't move, after that it was clear. It's the same thing that I have heard from people down on Dowd Street. When the factory let out, you couldn't move on Dowd Street for fifteen minutes and then it was clear. So, that's what the concern is, I think that you have to treat all three areas distinctly. You can't have one overlay for all three, that's my point.

Chairman Pane: I agree with you Stanley. Each one is a little different, they could have things that overlap, but there could be separate things because of the area. For instance, I agree with you that you don't want to drive a lot of traffic to Newington Junction, but it certainly would be nice to clean it up. Cedar Street, I don't mind having a train station over there, but I'd like to have a train station with the Industrial property. I'd hate to get rid of the Industrial property there. Am I in favor of some housing over there, yeah, I'm in favor of some housing over there. I don't think it's a wise decision for us to ruin all of our industrial property for a commuter lot.

Commissioner Braverman: I have a question now, or a statement basically. Given the fact that there is this corona virus situation going on and we're not really sure about how people are going to be working or even how much traffic will be produced, I think right now we need to take a look at what other companies are doing. Twitter just announced that their corporate headquarters, that all of their workers can work from home, so from a corporate perspective this may filter out to Connecticut as well. There may be workers not working from a corporate setting, but in their home. I think we need to evaluate what that's going to be, and I think it's really very serious now.

Commissioner Sobieski: I agree with Commissioner Braverman. I do know that the IRS has been taking, I know several people who work there, they have been having people work from home, and they are going to get rid of some of their commuting issues. So this may very well be, this virus may change some of the outlook of what we have for property usage. I'm not saying it will, it will go back, but it will never go back to where it was. As far as what you had said about commercial property, I agree with you. I don't want to see all of the commercial property go away, I had advocated with Mr. Breacher when they were talking about the rail station, I was a big advocate of putting underground parking in there, I have a reason for that. The land above it can be used for additional items, and I think that may be a negotiable point with the DOT when they do build that rail station. I think that the underground parking would be a great issue, it would get rid of the unsightly vision of all vehicles parked in there, so I think there are some things that we do need to look at in that particular area. I'm not, I know you should be able to put at least a two story garage underground, which would then make it easier for the commuters and not take all of our property above ground. Then if we wanted to put in some type of mixed use development like for instance office condos or something along those lines, a restaurant or something that can use the parking at night, that would be shared parking. That would be something to look at, in my opinion.

Chairman Pane: Thank you Commissioners. Are there any other Commissioners that have questions or comments? I see that there are three hands up.

Commissioner Lenares: I kind of agree with a lot of the Commissioners and yourself and what you are saying, and one of the recommendations that was made earlier was to put that Charette process back into the area under comment 12. I think it might alleviate some confusion where, as the Chairman said, you don't want to predetermine anything, or put in anything that is going to handcuff you in the future, but we would be keeping the public opinion, Commissioner's opinion, everything on the table for the future, and I wouldn't want to see a policy for all of the areas but rather take them individually, but we able to take them individually and not predetermine anything by using this I guess it would be the charette process going forward.

Chairman Pane: Thank you. Are there any other Commissioner comments? So Glenn, is there a way that we can, it seems like with that last comment and, is there a way to write into the regulation, into the POCD that we are still exploring how we can best utilize these three areas, that work within our community and isn't detrimental to one area, but a general statement or something that the Commission is still working on it but we are in favor of some development if it is correct.

Glenn Chalder: I think that at the present time, on page 51 there is a land use strategy listed and the first thing it says is consider establishing an overlay zone which will enable...and I can understand why the residents might be concerned about that. Sounds like a proactive step towards changing the zoning, and I think that, and it could have been Gail Budrejko back at the meeting in February who brought up comment number 13, and suggested the charette process. So what I would do, with your permission, is to delete strategy one, on that page, talk about the importance of a charette type process, to investigate, and I do think of all of the opportunity areas in sight, Newington Junction might

be the most modest of all of them. So the map, which is currently on page 53 right now shows similarly sized circles for Newington Center, Cedar Street the TVDD area and Newington Junction and it would seem to me that Newington Junction is smaller and we should make those circles smaller and also under 51 talk about the importance of a neighborhood driven process, a Charette type process to investigate what if any opportunities there might be, so rather than leave an impression that we have come to a conclusion to leave the door open over the next decade to investigate any opportunities that may exist there, so I think that would be my recommendation.

Chairman Pane: I think that sounds pretty good. Do any of the other Commissioners have any comments concerning what Glenn just spoke about.

Commissioner Sobieski: I have no issues with that.

Chairman Pane: Everybody else is okay with it? I think it sounds good. I'm going to ask this resident who has her hand up if she would like to speak and ask a question.

Resident: Thank you, with everyone talking they answered the question that I had so I appreciate it.

Chairman Pane: Okay, very good, thank you.

All right Glenn, if there is no objection from the Commissioners I think that is a good way, and if you want to proceed I'd appreciate it.

Glenn Chalder: I will take care of that Mr. Chairman. Just to inform the Commission, I think if the Commission is comfortable the next step for us would be to schedule a public hearing some time down the road. There are two ways that we can do that. I can make these changes and we go to public hearing with it, or I can make these changes and the Commission gets to look at it one more time. So we will talk about that at the end of the meeting, but I didn't want you to think tonight that you were making a change to the Plan, we're changing ideas for further discussion at the public hearing.

I think everyone at the meeting recognized the need for economic development in Newington. The plans promotes economic development and we had a discussion towards the end of the meeting on comment 17 which is that perhaps Newington should aspire to a 3-5 percent grand list growth in town to try to keep taxes down, higher than that even so that taxes can go down. My thought process here for comment 17 is that I wouldn't suggest that the Commission adopt an action step to do that because that is almost too hard. As Commissioner Braverman pointed out, some of the changes that may be happening in the economy overall, but I think having a specific numeric goal, that our goal as part of the POCD is urge economic development to achieve a 3 to 5 percent grand list could be an important statement. How does the Commission feel about that?

Commissioner Sobieski: What is the average going up every year, I mean in other towns that you have worked in? Is it 3 to 5, or is it more or less.

Glenn Chalder: Every community is different, the ebb and flow of the economy, location dependence, change, the ways that things move. Some, as Chairman Pane pointed out,

some of the larger industrial complexes have gone through ebb and flow and that has affected the grand list, so I don't have an answer Commissioner in terms of if there is an average or anything else. I think most communities in Connecticut aspire for more economic development for taxes and other reasons.

Chairman Pane: I think that it is not a bad idea, but it's a little unrealistic to think that we have to go up that much just to cover our taxes. I think the statement should also say that we should find efficiencies within our budget and try to improve efficiencies across the board along with grand list development which in order to keep the taxes at a reasonable rate, otherwise we are going to become unaffordable for the Town of Newington. It will become unaffordable for residents.

Glenn Chalder: I think I can figure out a way to make a statement like that Mr. Chairman, I think you are advocating for not having a specific number goal and I think those numbers can present some challenges, so I think if we promote economic development and also efficiencies in municipal government to enhance our fiscal picture, would be a good way to go in the POCD.

Chairman Pane: Basically the Town has to live within its budget because we are 95 percent grown, developed and we have to deal with redevelopment and possible some new development and there is just not enough of that so I think we have to recognize that we have to live within our means.

Any other Commissioner have a question?

Commissioner Braverman: The question is this, are we taking into consideration moving forward on what is happening forward with what is happening with the Covid-19 and the potential revenues and taxes and people working, people being laid off, what are the town's plans to help people that have been laid off that have been out of work and in terms of them paying taxes. They may be impacted.

Chairman Pane: I think we can get into that conversation a little more when we talk about the businesses that we are going to be helping, later in our agenda. We are going to be talking about outdoor restaurant seating and whatever else we can do for some of the small businesses, the retails and things, I don't know if any of that really belong is a POCD. Let's all hope that this virus is over after a year, but .....

Glenn Chalder: If I may Mr. Chairman, I'm just thinking here that, I think Commissioner Braverman brings up a good point. There are things that happen and changes that occur over time that make us realize that a document can seem dated. The POCD is going to continue to evolve over the next decade and I'm think on page 56 it might make sense to put a sidebar in, and the sidebar would simply say something like, at the time this plan was being prepared the country was experiencing this situation. Newington has been a leader in addressing issues relating to economic development and will strive to address the implications of this going forward. So we don't have specifics because there is conjecture about high unemployment rates but we just don't know yet, but I think at least acknowledging we are going to try to remain flexible should this continue, or change in some way I think would be an important statement in the Plan!

Chairman Pane: Excellent point Glenn, how does that work for Commissioner Braverman and the other Commissioners?

Commissioner Braverman: I'm just concerned about what is going on with the progress that is being proposed. I'm not sure, I don't have a high confidence level. Every day my wife and I walk toward the Berlin Turnpike and where Pier One used to be, they are closed, and the store that was next to it, the curtain place, whatever it was called, that's closed, it's empty. The air conditioners have been torn apart and the guts have been removed, and you want down, and the only thing that is really viable is the Honey Ham place. You know, the rest of that, the whole parking lot is empty.

Commissioner Sobieski: I think the days of the brick and mortar store may be coming to an end, some of the smaller ones like Ann and Hope and Pier One. I think what we need and you might want to find a way I don't know, that we need to take, instead of the huge box stores trying to make smaller ones, for lack of a better word, not a strip mall, I don't like to use that word, but something along that line there that we should look to try to redevelop. I mean, as I said before, the days of big factories and big businesses are coming to an end. You are going to find a few of them here and there, but I think we need to reinvent ourselves on the turnpike and I think what we need to do is get the economic development on board with that and explain what we would like to get done. Just my opinion, but I think you are right, it's not going to go back to the way it was. This Covid-19 virus is.....

Chairman Pane: We don't know that for sure but I agree with you. I agree with Glenn adding something on 56.

Glenn Chalder: I think in terms of Commissioners Braverman and Sobieski, back on page 52 which is in Chapter 8, the discussion about the fact of the Berlin Turnpike is in fact an opportunity area and we discuss this fact that the world is changing, the world of retail is changing, that the area will be ripe for redevelopment consideration. We will prepare for situations to promote appropriate redevelopment. What is that going to be? I'm not sure. It could be smaller stores, could be mixed use with housing, it could be a lot of different things but my hope would be that potential applicants in the future would see this and say to the Commission we are here to try to make visions for the Berlin Turnpike come together and I think with the recommendations in the chapter the Berlin Turnpike area is an area where we could spend some additional time thinking and envisioning as to what type of thing there could be. It's in here, it's just not in the opportunity chapter so I think what I would like to do is, to refer people back to page 52 so that they know that we recognize that.

Chairman Pane: Sounds good Glenn. Any other Commissioners questions, I'd like to have Glenn proceed with the rest of this and move forward.

Glenn Chalder: Page 3, residential development, the question came up at the public hearing back in February, where are the opportunity sites for affordable housing? I think the POCD, the chapter 8 on opportunity sites identifies the areas where transit and utilities could accommodate additional housing and a walkable village type configuration. I think also Craig, have you discussed with the Commission the affordable housing plan considerations?

Craig Minor: No, no I haven't, but I can talk about that later tonight under the Town Planner report.

Glenn Chalder: Okay. I think that Newington is made up of a number of stable neighborhoods in all different parts of the community. So the question is which areas potentially have utilities, infrastructures that might support affordable housing. I think as Commissioner Sobieski pointed out, the road network is one, the transit network is another, utility availability is another so these are areas for consideration for housing options in the future. It doesn't necessarily mean affordable housing, but housing that can meet the housing needs of the community, so they were identified based on transit, utilities, the roadway network, so I'm not sure that any change is necessary in the POCD but the comment was made and I wanted to put this before the Commission for discussion.

Chairman Pane: Okay. Thank you. Any questions?

Commissioner Sobieski: One question Glenn, I know you may not have the answer but do you think with the way that this virus is spreading, that the closeness of the buildings and stuff that this may play into future development.

Glenn Chalder: I think it could. There has been a lot of discussion on the Planner's site this week about possible longer term implications and some of the things that are going on right now. Some of them are almost fantastical in the possibility that they might happen and others seem like they are more probable. So, I think we are going to learn a lot over the next six months to a year if this virus persists, if there is no vaccine or anything else which is available for it. We were talking about, having a conversation with one of our colleagues about whether multi-family development will no longer have elevators and central hall ways, but will be oriented outside, so you will have your own entrance. You don't share the corridors with people. People need different housing at different stages of their life, so I think Newington continuing to have that type of opportunity is important. Exactly how it will play out, I wish I did know, I'd make, like looking into the future for the stock market on that.

Commissioner Sobieski: I was just wondering because I know that the outbreaks in New York were especially high in the high density areas, like apartments and condos and stuff.

Glenn Chalder: I also know that the virus showed up there first.

Commissioner Sobieski: I was just wondering, that's all.

Chairman Pane: The virus spread right up the Connecticut mass transit corridor. Why don't we proceed and get through the next section please?

Glenn Chalder: Item 21, the plan suggests the consideration of a inclusionary housing policy in the future and the comment was made that Newington already has diverse housing stock and we don't need that. Inclusionary housing policy is a policy where the Commission has part any sort of development could require that some consideration be made for (inaudible) whether it be housing which is affordable, or housing meeting different housing needs, etc., so in the plan, on page 66, Item B 1, says consider adopting an inclusionary

zoning requirement, and again, this comment was made. Does the Commission wish to keep that language or modify it?

Chairman Pane: Are there any comments from the Commissioners?

Glenn Chalder: That completes page 3 and we have a page 4, and the comments from the public meeting have to do with pedestrian, bicycle and transit. A Newington resident is actually on the board, statewide board related to this so we have some great input and feedback. I think the plan contains many recommendations supportive of bicycle and transit. I think comment #28, a comment was made that makes sense to support integration of pedestrian, bicycle and transit. I think the comment was raised because the maps which are currently on pages 79, 80 and 81 are separate maps. One is pedestrian, one is bicycle and one is transit and led to the conclusion that we are treating them separately. It was just difficult to make a map that had all of those, so we kind of split it up. A statement in here that we need to think about other modes of transportation and coordinating them I think would make sense. That change is recommended on item #28.

Chairman Pane: I don't have a problem with that. Any other Commissioners have a problem?

Commissioner Sobieski: If Gail is still on, she and I served on a committee years ago trying to get bicycle paths through Newington. I know that I had sent that into the DOT and I think I had sent a copy to Craig too. We had laid out a bike path that you could actually go thru most of the town without getting on a main highway.

Chairman Pane: Do you know where that is?

Commissioner Sobieski: I don't know if Craig has it, or I might still have a copy, Gail may have a copy of it. If I find it I'll forward to Domenic or Craig and he can forward it to you.

Glenn Chalder: If you would Stanley because I think the reason this comment was made is because the bicycle map which is on page 80 of the POCD took advantage of the fact that the state had categorized the state highways, or state numbered roads for suitability and the comment was made, you know, Maple Hill and Church Street for example are local streets but they are actually, or could be suitable for bicycle use, so if the town has other routes which might interconnect, I'd love to include those in the POCD.

Commissioner Sobieski: One of the ones that comes to mind Glenn, I don't want to hold the meeting, was going down Garfield, down Walsh, down to Robbins. That would get you from the center of town to the Robbins area, staying off the busy main road here. From Robbins I think the suggestion was try to reduce one of the lanes up there, if I'm not mistaken. You could also take that and go down Garfield, across Mazzoccoli Way, use the cross walk and actually go in through the bicycle path down to Elton Drive and get around that way, get over towards West Hartford without using major roads. They are all back roads. There were a couple of towns that had put up little signs that said bike paths here. Only a thought, I would like to see the town more bike friendly myself.

Chairman Pane: Thank you Commissioner. We have a question from Gail, maybe she can add some information for us.

Gail Budrejko: Just to, yes Stanley and I did talk about this for a while a couple of years ago, but just to let you know you might, I think Parks and Recreation, and this was before Bill DeMaio, did have actually some trails laid out, so historically maybe they have it in their files, and also we had talked about, I actually had them, Newington Bicycle Shop and perhaps the new Trek might have a few. They actually had trails or routes, 5 miles, 10 miles, whatever that they had laid out, so you might want to check with them to see if they have those routes available and that could possibly be incorporated into your map.

Chairman Pane: Thank you very much Gail. Any other comments from the Commissioners? Glenn, why don't you proceed.

Glenn Chalder: Comment number 30, the plan suggests that there is a parking shortage at Cedar Street Fastrack station that perhaps the town would want to coordinate with DOT to alleviate that. The observation was made that the stop is a very valuable amenity to the town and the last thing we want to do is to provide more parking for out of town users. That is a policy change, and should be take that comment out, leave it in, it's the Commission's pleasure.

Chairman Pane: To be successful, it has to provide enough parking there. Commissioner comments? If an opportunity comes on that site, the Newington Junction site, and the timing is right, and we can provide extra parking there, it's not necessarily for out of towners, it could be for in town people.

Glenn Chalder: It doesn't say we are going to do this, it says investigate opportunities to provide more parking as part of support for the Fastrack busway. So I thinks investigate is kind of a softer verb.

Chairman Pane: Absolutely, I don't have a problem with that. Is that all right with all of the other Commissioners?

Commissioner Braverman: I just wanted to add a comment that they use of cars and trucks and everything else, there is a shifting change taking place, and I think we should examine what is happening with transportation a little more closely. I'm not trying to be paranoid about it, but the corona virus, and everything else, I haven't even filled my car in two months. I haven't even traveled that far and if you are looking at the way people commute, I think there is a great impact and I'm not sure how it is going to roll out in the future.

Chairman Pane: We are in uncharted waters right now.

Glenn Chalder: I think Commissioner Braverman brings up an interesting idea, and I would like to put a sidebar in the Chapter on transportation to point out these types of things, that we are going to try to stay on top of those.

Chairman Pane: I like that. Is that all right with you Commissioner Braverman?

Commissioner Braverman: Sure.

Glenn Chalder: I really don't have any more comments. There were some comments in the Implementation Chapter, but they are people encouraging implementation which is what the plan recommends, any change that is necessary.

Chairman Pane: Could we go back to that inclusionary zoning, I don't think we as a Commission gave you an answer on that. So if we could get some input from the Commissioners to give to Glenn so that he could finalize this. Glenn, if you could explain it to the Commissioners one more time.

Glenn Chalder: It's action step E1 and what it says is consider adopting an inclusionary zoning requirement that requires affordable housing component of every new development especially the housing opportunity areas identified in the POCD. This would give the Commission with optical regulation that applies across the board to new development as opposed to (inaudible) to ask for, that they have to provide a percentage of affordable housing.

Chairman Pane: But we could still, on a case by case basis, ask for the same thing?

Glenn Chalder: It gets a little bit harder I think because the Commission can be accused of playing favorites. I think the communities that have done this, Newington, I just checked in the Plan, it's affordable housing percentage right now is 8.58 percent, so if a new development gets built, and it doesn't have affordable housing, Newington falls behind, that 8.58 number starts to go down. If on the other hand we required that each new housing development, we would stay level over time or it could be higher. We're not going to pick the specific outcome, but what the strategy here says is consider adopting an inclusionary zoning requirement, and this could be an effective tool to consider in the future.

Craig Minor: The inclusionary housing could refer to other than just additional affordable housing, for example, you could have a regulation that requires a multi-family proposal to include a certain number of three bedroom apartments to create more family housing, or even senior housing although that probably is not an issue today, but inclusionary housing can be more than just affordable housing.

Glenn Chalder: Yes it can and the section 8.2, the statutory section, 8.2 I think it does refer specifically to affordable, but I agree with you, it could be other things as well.

Chairman Pane: And affordability, our town is aging, so, there could be over 55 or some other type of housing. I have no problem with it because it says basically that we are going to consider it, to look into it in the future. Any other comments from the Commissioners?

Glenn Chalder: Mr. Chairman, the last issue that I have for you tonight is the next step, and I think there are two options available. Number one we can schedule a public hearing for July 15<sup>th</sup>, or later, and the reason for that timing is that state statutes are requiring a 65 day notice period so that we can notify the regional planning agency and also send it to the Town Council for their comments. The other option would be for me to make these changes I guess either electronically PDF or print out copies for the Commission to look at one more

time, and then schedule the public hearing. I think each time we print the Plan it costs us a couple of hundred bucks so my thought would be, the public hearing is to get thoughts and feedback, and we can always change the Plan based on those comments and feedback, so depending what you perceive as your summer schedule here, we could schedule a public hearing for late July, August, September, it's the Commission's preference.

Chairman Pane: It's a tricky situation with the virus going on right now, we want to, if we don't have to plan it right away, I mean, we would like to see how things proceed because we want to try to have the best turnout possible for this public hearing, so I don't think we need to make the changes again, and add any additional cost, I think we have gone over everything, so I think it's a tentative meeting in July or August for a public hearing and hopefully we will be able to do it in person.

Glenn Chalder: Craig, do you know what our OPM date is, off the top of your head?

Chairman Pane: I would imagine that all of that is going to get extended too, they're not going to penalize us because of the virus for any dates.

Glenn Chalder: Playing hard ball a little bit, but the issue is, our OPM date is June 9, 2020, the executive order from the Governor has given us ninety days and all restrictions are going to be released by June 9, 2020 so I think we get an automatic 90 which would put us into September. I think Mr. Chairman, if the Commission was comfortable heading into July, we could keep the hearing open, get additional input, and not have any kind of conflict with the State.

Chairman Pane: Let's set something towards the end of July and I'd like to keep this on the agenda in case the public has any questions between now and then. We can keep it on our agenda. What do you think about that Craig?

Craig Minor: We can do that.

Glenn Chalder: The only thing I might add Mr. Chairman, if that happens, if there are additional comments that come in, if you could keep the separate. The statutes require the 65 day notice period for CCROG and for the Council and if either one of them senses there is a separate packet out there that doesn't reflect what they are reviewing, it creates some challenges, so as long as we keep those comments separately so all of the appropriate process would be fine.

Chairman Pane: Okay, do you have that down Craig?

Craig Minor: Yes. I understand.

Glenn Chalder: I'll work with Craig to get the date worked out, I'll modify the Plan, enjoy the rest of your spring and summer and I will see you in July.

Chairman Pane: Let me just see if there is any other Commissioners that have any questions for you Glenn. Any Commissioners have any questions. Thank you very much for all of your hard work. I really appreciate it.

**X. OLD BUSINESS**

None

**XI. PETITIONS FOR PUBLIC HEARING SCHEDULING**

- a. Petition 16-20: Special Permit (Sec. 6.11 Service, Sale, Repair, Rental or Storage of Motor Vehicles) for a Gas Station/Convenience Store at 4 Hartford Avenue. Dlyala LLC Applicant; Newington Gas Distributors LLC, Owner, Jawa Shalo, 3 Bucks Crossing, Cromwell CT, Contact

Craig Minor: This is an application for a convenience store/gas station on the corner of Main Street and Hartford Avenue. The plans, we have the plans, but because it does require a special permit, I'm recommending that the hearing for the special permit be scheduled for the next meeting. We can review the plans at that meeting also.

Chairman Pane: Okay, any comments or questions from the Commissioners?

Commissioner Sobieski: Quick question Craig, the plans, will they address any contamination left over from the old location?

Craig Minor: What I can do is tell the applicant's consulting engineer to be prepared to address that comment when he comes to the hearing.

Commissioner Sobieski: I believe DEEP still has a deep well over there that they monitor periodically. I'm not sure, they were doing it up to a couple of years ago, I don't know if they still are or not.

Commissioner Braverman: Is that the old Gulf Station?

Commissioner Sobieski: No, it's the old, yeah, it was Gulf, it was Amaco, it was CITCO, it was Ron's old gas station, the corner of Hartford Avenue and Main.

Chairman Pane: Craig, this was already a gas station/convenience, correct?

Craig Minor: I don't know if the previous.....

Commissioner Sobieski: No....

Craig Minor: ....if the previous location was a convenience store. It was torn down before I got here.

Commissioner Sobieski: No, it was just a gas station.

Chairman Pane: So my question is, why does it have to go for a public hearing, special permit if it was already an approved use.

Craig Minor: That's a good question. I would say that if for some reason TPZ ended denying them their special permit, they might have a legal argument in the courts that the owner of the property never intended to abandon the gasoline use. I think that would be an easy thing to prove, but the process, the public process is a really good way to vet all of the unique issues at that location. That is your opportunity to require a condition of approval such as they install sidewalks, which the regulations don't require, but with the special permit process gives you the ability to require things that you wouldn't otherwise be able to require. A public hearing is always in the public interest.

Chairman Pane: Okay, thank you. Technically though it doesn't need a special permit, but it probably should have been a site plan, but we are getting public comment through the special permit process in order to protect the residents the best we can, basically.

Craig Minor: Yes, and there will be a site plan approval also.

Chairman Pane: But we would probably be hard fetched to deny anything over there because it was an existing facility, correct?

Craig Minor: Agreed.

## **XII. TOWN PLANNER REPORT**

Chairman Pane: This will talk about the staff approval of outdoor restaurant seating. As the Commissioners know, I instructed the Town Planner to try to work with the restaurants or any other businesses. To date, we have a few businesses that are in need of expanding their outside area. T.J's on Cedar, Ruth Chris, and I believe Joey Garlic, and there might be a few additional ones. The biggest concern I believe from all of the Commissioners, our Planner and all of our staff, and before I go into that, I have to tell you, the staff in Newington are outstanding. They have really come together, I commend the Town Planner and the Highway Department and everybody. The biggest problem is making sure that there is safety there. I know that is everybody's concern, so these sites are getting inspected by I believe the Building Department, Fire Marshal and other staff and they have determined that some of these spots are going to need protection from vehicles, possibly going into the tent or into the sitting area which is completely understandable.

The Town has stepped up, I talked to the Highway Department and they are checking their inventory and they are going to provide some blocking or jersey barriers depending on how many they have, so they are going to start providing those for certain restaurants, whether it is on town owned land or even private property, and if the town runs out of these blocks, then I've worked out where I will purchase blocks for whatever businesses that need them, and Mike Camillo has donated his transportation so that he can pick them up from Tilcon and the Highway Department has agreed to run the loader over there so that we can take them and put them in place. So, by protecting the residents in this manner, by protecting the customers in this manner, and they also have to go through the Health Department and a few other things. We're not asking them to pay any fees, we're doing everything informally through the Planner and I have asked the Planner to keep all of the Commissioners informed as we proceed with these things, so I'll ask the Planner to give us a report on anything that I might have missed.

Craig Minor: I think you covered everything important Mr. Chairman. I sent a memo to the Commissioners this afternoon which is displayed on your screen right now, which goes into a little more detail over the Executive Order that was issued by the Governor. Giving a lot more detail to how we will process these requests for outdoor restaurant seating. Newington is kind of lucky that it's regulations already allow outdoor seating. The only tweak that we had to accommodate is that the rules require the Commission to approve them. The Governor has overruled that and said staff will approve these, but you, the Newington Commission has already decided to do that, so we are actually a step ahead of the Governor here.

If you see the memo, as I say, under the Governor's Executive order applications can be informal and they need to be acted upon within ten days which should be plenty of time in most cases. If we don't act on them in ten days they are assumed to be approved, just like subdivisions. If we need additional information, we can request it, but we certainly are not going to ask for more information than we absolutely need. All we really need is a sketch, to scale, and just a paragraph or two explaining what they want to do. I have talked to the Health, Charles Brown, the Health Commissioner, and he has asked to be kept in the loop, which the executive order seemed to overlook which I thought was a little odd, but Charles Brown asked to be kept informed, which I am doing. If there is a tent involved, then the Fire Marshal will be involved also, so we are moving ahead very quickly. Since I last spoke to you Chairman Pane, I have gotten a request from TGIFriday and just got another one.

Chairman Pane: DiBella's, did they call you?

Craig Minor: No, they have not called me yet, but I'm expecting their call. Chairman Pane, you had asked me to put something on the web site, I have something for the town web site.

Chairman Pane: I think the most difficult thing is communicating to these businesses that the Town of Newington is trying to do anything possible to help them. The tent that they are getting, the chairs and tables they are providing, we are providing the inspections and, but the protection, the bollards or the concrete blocks, that would be an extremely difficult thing for the businesses to come up with, so I'm very pleased that Town staff and Mike Camillo are helping with this.

Are there any Commissioner questions or comments? There was one other thing I want to let you know that TJ's on Cedar asked to extend their hours. I don't have a problem with that. They want to extend their hours from 8 o'clock to 10 o'clock at night. Is that correct Craig?

Craig Minor: The Executive Order says that these uses cannot go past midnight, so this is consistent with that.

Chairman Pane: On that item, TJ's on Cedar, if any of the Commissioners have any comments for the extended hours for him?

Commissioner Sobieski: I think it's a good idea.

Commissioner Braverman: Not a problem

Chairman Pane: If there are no objections, are there any questions or comments on the whole restaurant situation.

Commissioner Sobieski: There is a product, what they call plastic jersey out there, K-rail, it's light weight, you can fill it with water and then drain it, might be a good idea to see if we can get any state funds to buy some of those and they would be a lot easier to maintain than the concrete blocks. Just a thought.

Chairman Pane: Those aren't cheap either, and we're trying to do everything on the cheap, we're using existing stock. We have some jersey barriers that the town owns and we also have some concrete blocks and they are going to use what stock they have, and then we'll pick up some additional stuff.

Commissioner Sobieski: You might want to see if there is any jersey barrier left over at Brook Street in Rocky Hill.

Chairman Pane: We can have Craig check on that and we can also check with Parks and Rec and see if they have anything in inventory that we could use.

Bryan Haggerty: I was just going to say that anything we can do, we should do to help out the Town and the businesses. That would be my only comment, whatever we can, we should be able to take care of.

Chairman Pane: Absolutely. The biggest thing is trying to communicate this to the restaurants and businesses too, and retailers. If any of the Commissioners run into businesses that need help, retail, restaurants, anything, send them over to the Town Planner, and he would be happy to take care of them.

Commissioner Lenares: Just a couple things, like Bryan just said, anything that we can do, we need to do, but also you had mentioned the task of having these businesses be aware that the town is willing and available to help. This is temporary, and we want to get back to normal. New normals will take place, and I think there will be efficiencies within the businesses themselves, not from our purview, but going forward they need to know that this is temporary and to accommodate them, and Newington setting the standard in doing such great things to accommodate them, but at some point, if going forward, they want to increase, or keep it as permanent, then they need to come back to the Commission and get permission to do so.

Chairman Pane: Very well said, Commission, thank you very much.

Craig Minor: I want to address the issue that Commissioner Lenares raised about how long these permits would be good for. The first one that we issued for Ruth Chris, as I was drafting it, I thought about this, and I started to give them ninety days, three months, which would go to the middle of June, and then, no, we are definitely still going to be in the throes of this in June, so I better bump it up to November. Six months. Now, I don't know if anyone is going to be eating outdoors in November, so that may be more than enough. The idea of having an end date was very much in my mind. I haven't issued another one

since then, I'm not sure, I'll ask the Commissioners, what do you think? What would you like the end date to be?

Chairman Pane: I think you covered it there, I don't think, I think you are correct, I don't think anybody is going go that far into the season with outside eating, but at least you have some flexibility. Commissioners, any questions?

Commissioner Fox: Commissioner Lenares had said something about, the business owners should be their own advocates, and I think that is a definite yes because with people still nervous over the outbreak and with deaths still occurring, and a lot of hospitalizations, even though that is coming down, they might not feel safe even sitting outside, so I think between the business community, the Chamber of Commerce, and the Town and this Commission I think it behooves us to maybe do some community outreach in one way or another to make sure that people feel safe and that they know just because we are expediting these applications doesn't mean that we are being frivolous and just approving them right off the top of our head. Thank you.

Commissioner Sobieski: Chairman Pane, I had an in depth conversation with you and I think it's a great idea and we have to make sure our restaurants come back, we have to relax the rules a little bit until this pandemic is over. You're right, I don't think anyone is going to be eating outside in November but you never know. I am in favor of what Dave said, and I think that is what we need to do is reach out to them if necessary, let them know that we are here, let them know this is on a temporary basis until this clears up, and if they wish to make it permanent, they have to come back, but I think we need to do whatever we need to do to get moving.

Chairman Pane: Commissioner Lenares, you have a question?

Commissioner Lenares: Yes, just to reiterate again, in terms of outreach and whatnot, just so the public knows that, I mean, there is no outreach in terms of favoritism, we're only expediting applications that have come from the businesses to the Commission, to the Planner and I think having that done in that way I think is the fairest way to do it. The Planner has an excellent concept of having a temporary (inaudible) in place. Obviously I think having outdoor seating in November could be a little risky, but that's on them, but anything that the businesses want when they, the businesses come forward to the Commission, thru the Planner, to the Town. We're there with open arms helping them in any way we could. If some businesses choose not to, that is their own purview as well, let them make their own decisions. If they choose to we're there, we're staffed and we're competent in doing so and have a plan in place, and I think that's the most important thing going forward.

Chairman Pane: I agree, they are not all going to open up at the same time, everybody has different circumstances. There are some employees making more money now being unemployed and they might not go back to work, so there are some businesses that are experiencing that problem. Everybody, it's going to be a slow process getting everybody back but whatever we can do to help these businesses is a plus. So Craig, any business that comes in, any restaurant, that is going to need protection to protect the customers with

their tent or seating area, please let them know that the town, in one way or the other will provide that or them. We'll continue, Craig and I will continue with what we are doing and I will have the Planner update all of the Commissioners as we proceed with this so you are well informed. Any other Commissioner comments or questions?

Commissioner Fox: I think that it bears mentioning again that the staff, the town Planner and others should, actually, I don't know if you have or not Craig, but actually you should be reaching out to the business people, not visa versa. I mean, they can be calling to see, what are you going to do, what are you going to do, and I think you can preclude that by letting them know what we are going to do. As far as keeping us notified Mr. Chair, I would hope so and I would hope that maybe if there is a little confusion, should we do this, should we do that, that a quick e-mail to get some opinions might be in order, otherwise just keep going what we are doing.

Chairman Pane: One of the biggest concern was getting the message out so that is why, I have reached out to some of the businesses and I have asked Craig to send an e-mail to Economic Development. If any of the Commissioners know of a business owner in town or drives by a restaurant or happens to see another business that is in trouble, please have them reach out to the Planner.

The Planner and all of the Newington staff are doing an unbelievable job keeping these businesses going and making it as efficient as possible.

Craig Minor: The Chairman mentioned how we had reached out, at the Chairman's suggestion to the EDC, and I have also reached out to the Chamber of Commerce, again at the Chairman's suggestion to let them know that we are available for any help that is needed.

Chairman Pane: Thank you. Any other questions or comments? Is there anything else in your report Craig?

Craig Minor: In my report I gave people an update on where you are with a couple of upcoming amendments, but we don't need to discuss them unless someone has a question.

Chairman Pane: Have you heard anything from that development where we returned the bond to them, over on Deming?

Craig Minor: Oh right, no, I did hear from one of the residents there the other day in connection with the Peckham Farms subdivision, but no, I haven't heard anything about, no that is not quite true, I got a call actually a few weeks ago from the original developer who was calling to ask and he was a little vague, but I think what he was asking was, are we going to give him a hard time about obtaining building permits, at least that is what I think he was saying, I said, no, you are just like any other property owner. If you apply for a permit, your taxes are current, no Planning and Zoning, we don't have any issue with you putting houses on the three parcels that you own.

Chairman Pane: I understand that, and it's basically now the responsibility of the association to finish the specifications on the road, come back to us about the sidewalk, and finish any wetlands or draining or grading over there because they received all of the funds.

Maybe we could get an update from them for our next meeting. Any comments on this meeting and how this proceeded? It seems to be a tremendously better than the situation that we had previously. I want to thank the IT, and James, like I said, all of the Town staff I commend you for the job that you have been doing.

Commissioner Sobieski: I have a question for Craig, these upcoming subdivision and zoning amendments, are they going to be published so we can see what they are?

Craig Minor: They were sent previously, but I will certainly send them out again tomorrow and they will be in your packet and on the town web site. I will send another copy to everybody tomorrow.

Commissioner Gill: I just wanted to go back to the restaurants with Craig, possibly if we could just have a one page e-mail as to who has requested because I know that Rooster Company has sent paper work in, so I want to make sure as we talked to these people we know that it is in the system.

Chairman Pane: You are correct Tom, Rooster is one of them that we are talking with. I forgot to mention it, they are going to, they would like to take about ten parking spaces that are in the rear of their business, it's owned by the Town, the Town manager has given permission, and that is where we are going to put some jersey barriers to protect the people and I believe they are going to put up a tent up and tables inside and they still have their to-go area too. I think it's important for the restaurants to continue with their delivery services, their take out, their curb side and then by adding this outside seating area, it gives them a shot to bring in some extra income. I hope that answers your question Tom, and yes Craig, the Town Planner will keep all of the Commissioners updated on every restaurant that comes in and he will give you the details on it, and then if you have any questions or concerns all you have to do is get back to us.

Commissioner Gill: Okay, thank you very much.

### **XIII. COMMUNICATIONS**

None

### **XIV. PUBLIC PARTICIPATION (For items not listed on the agenda; speakers limited to two minutes)**

None

### **XV. REMARKS BY COMMISSIONERS**

Commissioner Sobieski: I just got an update from CCROG just before the meeting, I will send it out, tomorrow morning to everybody.

Chairman Pane: Thank you very much. Any other questions?

Commissioner Haggerty: Going back to when we were going over the POCD I would think the whole virus thing has totally turned our world upside down, and inside out, and not to get too medical about it, I don't think anything is changing in the foreseeable future, day or weeks or months from now you never know what is going to happen. This thing could just go away, there could be a vaccine, so I think we should be pro-active and be planning, but I'm not, I would be leary about being too concerned years down the road about making TPZ decisions based upon this virus. That's all.

Chairman Pane: I agree with you, excellent points. I appreciate your comments. Comments from anybody else?

**XVI. CLOSING REMARKS BY THE CHAIRMAN**

Chairman Pane: I want to thank everybody. I think this worked out well. Is there a time in the future, the near future Craig that we will be able to have live meetings, at what time? Will we be able to space ourselves in, or will this continue for now? What's your opinion?

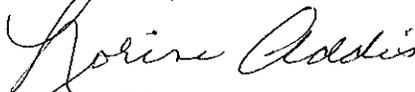
Craig Minor: I don't have any insight into this any more than anyone else, I am assuming that it is going to be like this for at least a couple more months.

Chairman Pane: I think this meeting worked a lot better for the Commissioners, I would hope, I think hearing it and being able to see people made the Commissioners more comfortable, and we will continue with this process, and I want to thank James and our IT people, Paul and our Town Manager and all of staff, and you Craig because you are doing an excellent job. And everybody please stay safe and follow the procedures so that you are safe and everybody else is safe. If you see a business out there in Newington that might need help or has requested something, please send them to Craig and we will do whatever we can to help.

**XVII. ADJOURN**

Commissioner Sobieski moved to adjourn the meeting, the motion was seconded by Commissioner Braverman.

Respectfully submitted,



Norine Addis,  
Recording Secretary

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: June 3, 2020  
Subject: **Petition #17-20: Site Plan Approval (Gas Station/Convenience Store) at 4 Hartford Avenue. Diyala LLC, applicant; Newington Gas Distributors LLC, owner; Jawa Shalo, 3 Bucks Crossing, Cromwell CT, contact.**

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### **Description of Petition #17-20:**

This is an application for a site plan approval of a new gas station/convenience store at 4 Hartford Avenue.

### **Staff Comments:**

This item was on the May 27, 2020 agenda but was tabled so that the applicants could first discuss the Town Engineer's comments with him, which they had just received that afternoon. The Town Engineer's comments are attached.

Also attached are my site plan review comments which I presented at the last meeting. I have no substantial issues with these plans.

cc:  
Applicant  
file

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



Petition # 17-20

CR#1323

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

**APPLICATION FORM**

LOCATION: 4 Hartford Avenue

ZONE: Business (B)

APPLICANT: Diyala, LLC

TELEPHONE: (860) 638-7591

ADDRESS: 3 Bucks Crossing, Cromwell, CT 06416

EMAIL: jawa.shalo@gmail.com

CONTACT PERSON: Jawa Shalo

TELEPHONE: \_\_\_\_\_

ADDRESS: Same as applicant

EMAIL: \_\_\_\_\_

OWNER OF RECORD: Newington Gas Distributors, c/o Patricia Curry

**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 Permit per Section 3.11.3 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:**

**"I hereby consent to site inspections before, during and after construction to verify proper functioning of the erosion and sediment controls and of the stormwater management design."**

<u>Jawa Shalo</u> APPLICANT	<u>4/8/20</u> DATE	<u>Jawa Shalo</u> PROPERTY OWNER	<u>4/8/20</u> DATE
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**COMPLETE APPLICATIONS SUBMITTED NOT LESS THAN 14 DAYS BEFORE THE NEXT TPZ MEETING MAY BE PUT ON THE AGENDA. A COMPLETE APPLICATION CONSISTS OF: THE APPLICATION FEE; SITE PLANS (IF APPROPRIATE); STORMWATER MANAGEMENT ANALYSIS (FOR SITE PLANS); NARRATIVE EXPLANATION (FOR SPECIAL PERMITS).**

**RECEIVED**  
  
APR - 9 2020  
  
**PLANNING DEPT.**



Memorandum

To: Brandon Handfield, P.E.  
Yantic River Consultants, LLC  
191 Norwich Avenue  
Lebanon, CT 06249

Date: April 1, 2020

Project #: 42604.00

From: Joseph C. Balskus, P.E., PTOE  
Director of Transportation Systems  
*Joseph C. Balskus*

Re: Traffic Statement  
Proposed Convenience Store & Gas Station  
4 Hartford Avenue  
Newington, Connecticut

**Introduction**

This memorandum will serve as a traffic statement for the referenced project and summarize the potential traffic impact and access issue for the development.

**Project Description**

Diyala, LLC proposes to construct a 2,660 square foot convenience store and gas station with 8 fuel dispensers on the referenced project site. The site is approximately 0.5 acres in a Business (B) zone and is currently vacant on the northeast corner of the intersection of Main Street at Hartford Avenue (Route 176)/Stoddard Avenue. There are three existing curb cuts on the Main Street and Harford Avenue (Route 176) approaches along the south boundaries of the site. The Hartford Avenue curb cuts are very large and encompass most of the site frontage. North of the site include two single family dwellings.

The site was previously approved for a gas station use and never constructed.

Access to the proposed development will be provided by three curb cuts as shown on the attached site plan with one single full access driveway onto Main Street and two separate one way driveways on Hartford Avenue. Both sets of curb cuts are proposed as far from the signalized intersection of Main Street at Hartford Avenue as feasible within the site constraints for accessing the store and gas fueling dispensers.

**Traffic Volumes**

Traffic volumes along both approach roadways were obtained from the Connecticut Department of Transportation (CTDOT) traffic monitoring unit for 2018 conditions. These Average Daily Traffic (ADT) and peak hour volumes (vph) are summarized as follows (both directions of travel):

Hartford Avenue (east of Main Street)*	9,000 ADT	800 vph AM	850 vph PM
Main Street (south of Hartford Avenue)*	12,000 ADT	1,100 vph AM	1,200 vph PM
Main Street (north of Hartford Avenue)	8,000 ADT		
Stoddard Avenue	6,900 ADT		

\*based upon actual CTDOT traffic count station

100 Great Meadow Road  
Suite 200  
Wethersfield, CT 06109  
P: 860.807.4300

## **Traffic Conditions**

The signalized intersection abutting the site includes exclusive left turn lanes and traffic signal phasing and timing that accommodates the existing traffic volumes without significant congestion during the peak hours. The intersection has a similar gas station development on the opposite southwest corner, a retail strip shopping center on the northwest corner and a restaurant on the southeast corner.

Intersection sight distances for existing and proposed driveways exceed 300 feet in all directions, sufficient for the 35 mph posted speeds on both approaches.

## **Crash History**

Crash reports were obtained from the University of Connecticut, Connecticut Crash Data Repository (CTCDR) at the adjacent signalized intersection for the most recent four-year period available, from January 2016 to January 2020. Each collision case report contained the following information: police case number, date, time, location, collision type, collision severity, number of vehicles involved, travel direction of each vehicle involved, weather/lighting conditions, and contributing factor (if available). It should be noted that only collisions that result in death, injury, or property damage in excess of \$1,000 are required to be reported.

There were 20 reported crashes at the intersection during the four-year analysis period. The majority of the crashes involved rear end collisions, which are typical for an urban traffic signalized intersection. Most of the crashes involved property damages only.

## **Site-Generated Traffic**

The anticipated traffic volumes generated by the proposed development were projected based on guidelines set forth by CTDOT and data provided in the 10<sup>th</sup> Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This widely used reference manual, which provides trip generation rates for various land uses based on traffic count data collected at similar sites, is the industry standard method for forecasting trip generation rates. Land Use Code 853 (Convenience Market with Gasoline Pumps) was utilized for the trip generation for the proposed development.

Based upon this land use and the proposed 2,660 square foot store and 8 fueling dispensers, the project is expected to generate 108 trips in the weekday morning peak hour and 131 trips in the weekday afternoon peak hour. With 50% of the trips generated entering and 50% exiting. Furthermore, it is expected that the actual new traffic generated on the adjacent roadways will be far less than the 100+ trips projected with the ITE rates because these types of developments are highly dependent on pass by traffic to stop by the site rather than use the development as a destination of the trip. Typical pass-by traffic discounts have been applied to these developments from 20% to as high as 80%, meaning that the actual new traffic on the adjacent roadways is far less than the projected trips at the site driveways.

However, to maintain a very conservative assumption of the trips generated, assuming no pass-by traffic reductions for the 100+ trips generated by the ITE rates, 50% entering/exiting and a distribution based upon the above noted intersection and approach roadway ADT's, the following traffic distribution is assigned:

Weekday AM Peak Hour – 108 total trips

North (Main Street)

24 vehicles (12 entering/12 exiting)

East (Hartford Avenue)

27 vehicles (14 entering/13 exiting)

South (Main Street)

37 vehicles (19 entering/18 exiting)

West (Stoddard Avenue)

21 vehicles (11 entering/10 exiting)

Weekday PM Peak Hour – 131 total trips

North (Main Street)

29 vehicles (15 entering/14 exiting)

East (Hartford Avenue)

33 vehicles (17 entering/16 exiting)

South (Main Street)

45 vehicles (23 entering/22 exiting)

West (Stoddard Avenue)

25 vehicles (13 entering/12 exiting)

As a result of the above distribution, it is expected that the Main Street driveway will generate a maximum of 31 entering vehicles in the morning peak hour and 38 entering vehicles in the afternoon peak hour. The Hartford Avenue driveway will generate a maximum of 25 entering vehicles in the morning peak hour and 30 entering vehicles in the afternoon peak hour.

These distributions reveal the adjacent signalized intersection will incur less than 100 vehicle trips during the peak hours. The Office of State Traffic Administration (OSTA) considers intersections impacted by a minimum of 100 vehicle trips in the peak hours to be reviewed for traffic impacts. This project will have less than 100 new vehicle trips generated at the intersection and most likely, less than 50 during any peak hour.

## Summary

The adjacent intersection of Main Street and Hartford Avenue (Route 176)/Stoddard Avenue carries over 21,000 vehicles per day, and over 2,000 vehicles during the weekday peak hours. As noted above, the proposed development will generate at most 130 vehicle trips during the afternoon peak hours at the site driveways and add much less new traffic to the intersection as a result of typical pass-by traffic for convenience stores and gasoline stations. The daily traffic generated will also be a fraction of the existing traffic on the adjacent roadways.

The site has adequate access for driveways and intersection sight distances. The intersection has exclusive left turn lanes to accommodate left turning traffic. There are no recurring crash patterns at the intersection that will be adversely affected by the proposed development.

In summary, the proposed development will not have a significant impact to the intersection operations and the area roadways with the pass-by traffic characteristics that are typically found at convenience stores and gas stations.



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Keith Chapman  
Town Manager

## Office of Town Engineer

Gary J. Fuerstenberg, P.E.  
Town Engineer

May 27, 2020

Jawa Shalo  
Diyala, LLC  
3 Bucks Crossing  
Cromwell, CT 06416

Brandon J. Handfield, P.E.  
Yantic River Consultants, LLC  
191 Norwich Avenue  
Lebanon, CT 06249

### **RE: 4 Hartford Avenue**

We reviewed plans titled *Gas Station & Convenience Store, Site Development Plans, 4 Hartford Avenue, Newington, Connecticut*, dated 03/20/20, Sheets 1 through 7 of 7, and “Stormwater Management Report”, dated March 30, 2020 by Yantic River Consultants, LLC (plans and report received April 16, 2020).

### **Sheet 2 of 7 – Detailed Site Layout Plan**

1. Install concrete sidewalk crossing the apron from Main Street using 8-inch concrete over 5 inches of processed aggregate. Sidewalk specifications are available on the Town’s website or in the Engineering Department.
2. Provide concrete sidewalk along the Hartford Avenue side of the site.
3. Parking Table: Round the parking required number (13.3) to the next whole number (14).
4. Label dumpster enclosure on plan “I” (trash enclosure).
5. Specify height of PVC fence around dumpster (as called for on sheet 6 of 7).
6. Adjust zone line vertex to be at the four corners property corner. Adjust setbacks accordingly.
7. Explain in narrative and show on plan how the site entrances comply with the following site entrance requirements: 1) minimum 100 feet from a residence (z.r. 6.1.1.3), 2) minimum 200 feet to the intersection. (z.r. 5.3.4.6.E). As needed, apply for a zoning variance.
8. Show entire intersection of Hartford Avenue and Main Street (for locating center of intersection).
9. Dimension edge of parking to the property line; 5 feet minimum.
10. Show wheel stops on plan above filter bed #100 (as called for on detail sheet 7 of 7).
11. Add wood guide rail in legend.
12. Show extent of wood guide rail removal.
13. Add utility pole numbers to plan and utility pole anchor.
14. Add signs (speed limit, crosswalk, no turn on red, lane sign) to plan.
15. Delineate limit of construction.
16. Identify square item within Main Street apron. Remove or protect item as appropriate.
17. Add O/H to the legend abbreviations. Draw O/H polylines so O/H text is legible.
18. Call out or place in legend all other abbreviations and linetypes appearing on drawing.

### **Sheet 3 of 7 – Grading, Drainage & Utility Plan**

19. Add legend for grading features (existing and proposed contour lines and spot elevations). Indicate contour interval.
20. Provide additional grading (contours or spot grades) at the northwesterly corner of the proposed building to alleviate stormwater running onto walk.
21. Provide grades at corners of dumpster pad.
22. Dumpster location indicates access through parking spaces. Consider adding a walk for pedestrian access to dumpster (outside of parking spaces).
23. YD #105 and Filter Bed #100: Call out 4" perforated pipe size, length, and slope.
24. YD #201 and Filter Bed #200: Call out 4" perforated pipe size, length, and slope.
25. Provide detail for YD #105 and YD #201 showing all pipes, orifices, invert, top of frame elevations, bottom of filter bed and side slopes.
26. Label distance from the property line to underground storage tank. Provide detail for underground storage tanks. Identify method for shoring or supporting excavation so excavation does not encroach into TON right-of-way.
27. Indicate locations of proposed groundwater monitoring wells.
28. Provide plans for TON Fire Marshal to review.
29. Add Note: After construction is completed on the drainage improvements, the design engineer shall submit a drainage certification indicating all drainage and L.I.D. features have been installed and operate as designed.
30. Add Note: TON excavation permit required for work within the TON right of way.
31. CDOT encroachment permit required for work within the State right of way.
32. Town prefers one access from Hartford Avenue. Access to the State highway must be approved by ConnDOT. Are right-in and right-out only turning proposed for Hartford Avenue?
33. Remove extraneous line at existing catch basin #100.

### **Sheet 4 of 7 – Landscaping & Lighting Plan**

34. Density of remaining trees behind proposed building appears sparse. Consider providing landscape plantings in this area.
35. Note location and type of lighting on proposed building and canopy as mentioned on page 1 in the stormwater management report project description.

### **Sheet 5 of 7 – Erosion & Sedimentation Control Plan**

36. Add note to plan: A Connecticut licensed professional land surveyor shall certify to the Town Engineer that the erosion and sediment measures are installed in the locations specified on the approved plans prior to the start of earthwork.
37. Add note to plan: Provide the name and local emergency telephone number of the responsible person in charge of the erosion and sediment control measures on the plan prior to signing and filing of mylars.

### **Sheet 6 of 7 – Details**

38. Dumpster pad detail: Specify the slab thickness.
39. PVC fence detail: Specify fence height here and/or on the plan.

### **Sheet 7 of 7 – Details**

40. Provide lighting plan with site, building, and canopy lighting.
41. Lighting in front of the building will be partially shielded from the northerly site lights.
42. Show building mounted lighting and lighting pattern.
43. Show canopy mounted lighting and lighting pattern.
44. Trenching & backfilling detail: replace “Alumni Road” with “Town”.

### **Other Plan Comments**

45. Provide a Connecticut registered land surveyor signed and sealed topographic/utility map in the plan set (z.r. 5.3.4.3).
46. Show trees with 6” caliper or larger (z.r. 5.3.4.1.E.).
47. Provide a demolition plan in the plan set. Omit removed items from subsequent plans.

### **Drainage Comments:**

48. The Town Engineering Department allows 30% maximum voids for stone voids (not biosoil). Revise pond reports for FB-100 and FB-200.
49. Explain dimensions for orifice #2 used in both pond reports.
50. Revise the storage for FB-100 to EL 61.75 (YD#105) per grading plan and to not flood parking lot. TON does not allow ponding in parking areas to be considered as stormwater storage.
51. Provide data to justify exfiltration rate of 2 inches per hour for both pond reports. Otherwise, use the Engineering Department maximum rate allowed for the specified bio-soil of 3.2 feet/day = 1.6 inches per hour.
52. Stone encasement not applicable for infiltration beds.
53. Revise the storage for FB-200 to the top of frame elevation of the high level outlet.
54. Storm sewer tabulation, 10 year and 25 year: Include CB 104 to YD 105.
55. Storm sewer tabulation, 10 year: Label YD #202 to YD #201 (same in profile views).
56. WQV calculations: compare the area required to the area provided.
57. Provide calculations for sizing the Hydroworks unit. The cumulative WQF to hydrodynamic separator = 0.34 CFS. Hydroworks unit selected can only treat 0.1 CFS.
58. A drainage inspection certification shall be submitted by a CT licensed professional engineer to the Town Engineer after all surface and subsurface drainage system elements have been installed in accordance with the approved plans.
59. Provide an as-built survey of the site prepared by a CT licensed professional land surveyor.

If you have any questions, please contact me at (860) 665-8570.

Sincerely,



Gary J. Fuerstenberg, P.E.  
Town Engineer

Cc: Craig Minor, Town Planner  
Andrew Armstrong, Z.E.O., Asst. Planner



Keith Chapman  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

April 29, 2020

Jawa Shalo  
Diyala LLC  
3 Bucks Crossing  
Cromwell, CT 06416

Dear Ms. Shalo,

**Subject: Petition #17-20: Site Plan Approval at 4 Hartford Avenue. Newington Gas Distributors LLC, owner; Dilaya LLC, applicant; Jawa Shalo, 3 Bucks Crossing, Cromwell CT, contact.**

I have completed my review of the plans dated March 20, 2020 for the above-reference application, and have the following comments. Detailed engineering comments will be sent to you separately by the Engineering Department staff.

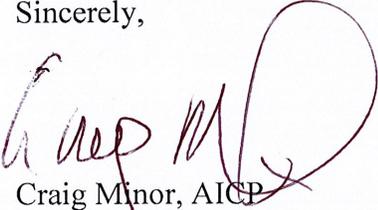
1. “Entrances and exits for any use approved under [Section 6.11] shall be at least 100 feet from a religious institution, school, playground, hospital or any residence.” Please explain how the site plan complies with that requirement (Section 6.11.3).
2. Distances and bearings of all boundary lines must be shown, and acreage (Section 5.3.4.2.B).
3. The trash enclosure appears to be mislabeled “K” rather than “I”.
4. Sheet #7 is mislabeled “6 of 7”.
5. Architectural elevations of the proposed building must be included with the site plans (Section 5.3.4.5). The façade of the building shall be a combination of brick, split face block, or Dryvit (Section 6.11.6).
6. Please include an endorsement block on the cover sheet as follows:

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

**Approved** by the Newington Town Plan and Zoning Commission as  
Petition # \_\_\_\_\_ at the meeting on \_\_\_\_\_.  
\_\_\_\_\_ Date \_\_\_\_\_ Chairman \_\_\_\_\_  
Pursuant to Section 8-3(i) of the Connecticut General Statutes all work  
in connection with this approved Site Plan shall be completed by  
\_\_\_\_\_  
(date of approval + five years)

If you have any questions or comments, please contact me via email at [cminor@newingtonct.gov](mailto:cminor@newingtonct.gov)  
or call me at (860) 665-8575.

Sincerely,



Craig Minor, AICP  
Town Planner

cc:  
Yantic River Consultants, LLC  
Town Engineer  
file

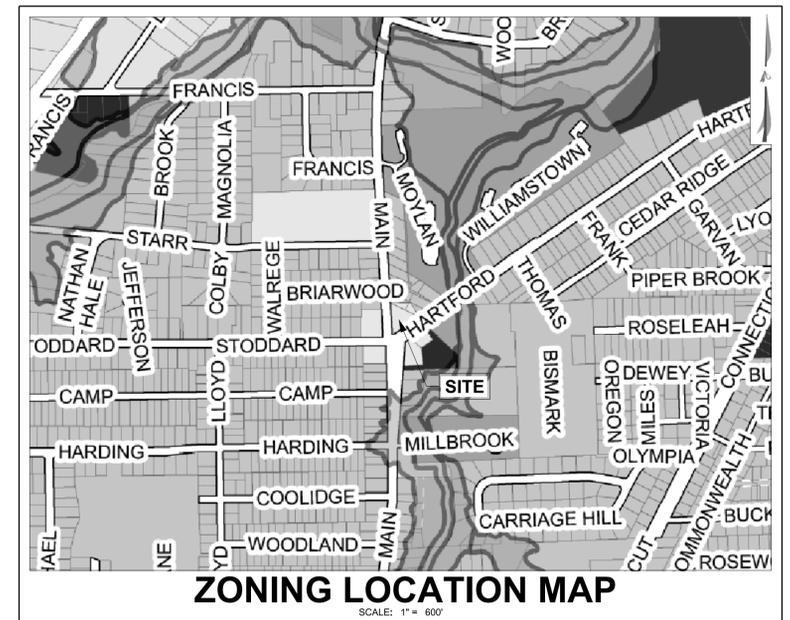
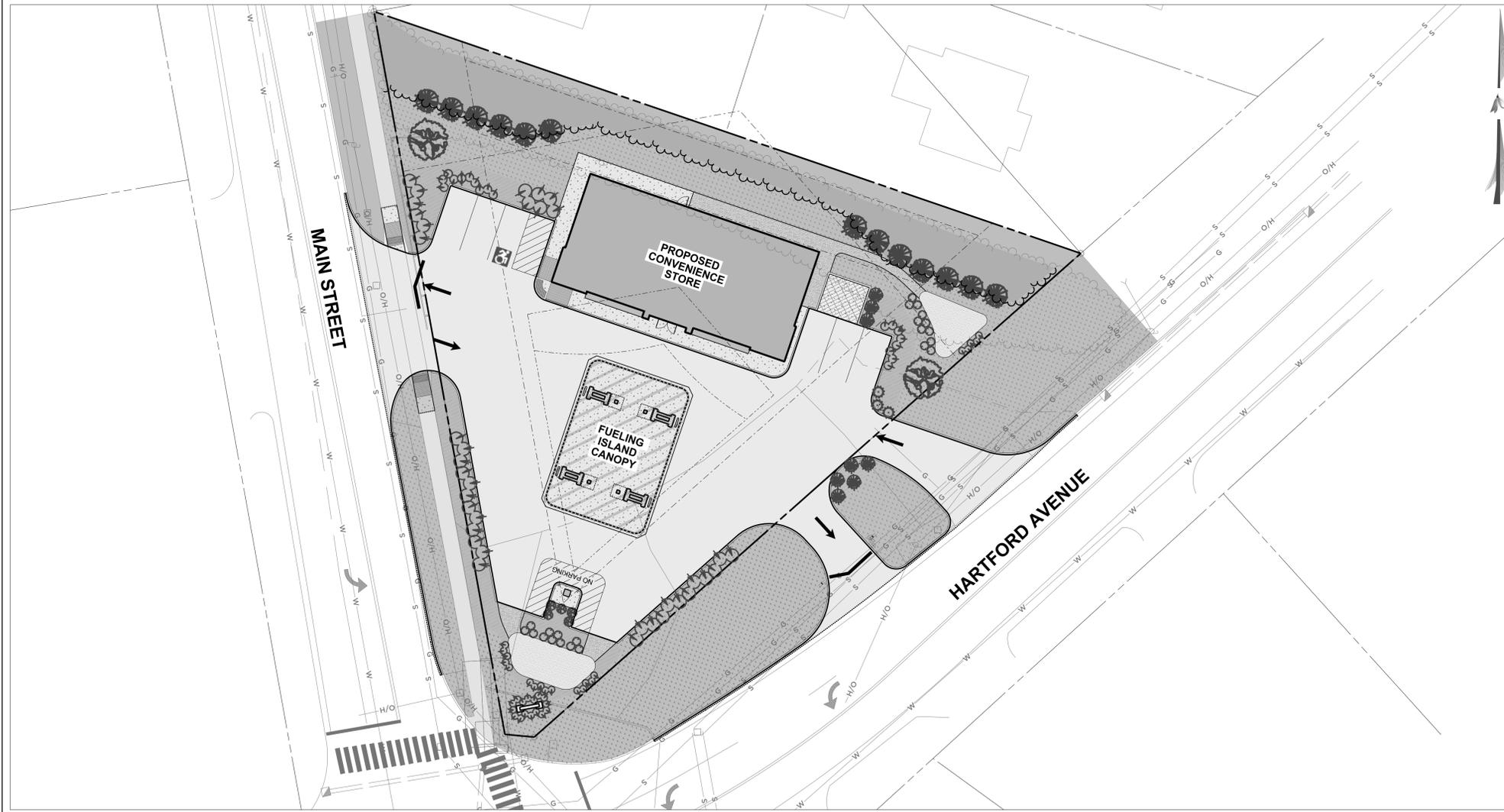
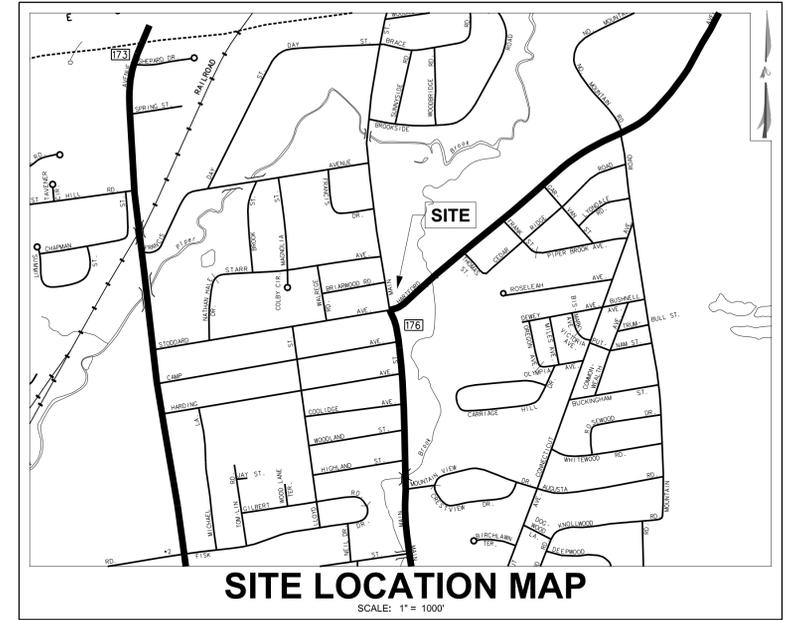
# GAS STATION & CONVENIENCE STORE SITE DEVELOPMENT PLANS

4 HARTFORD AVENUE  
NEWINGTON, CONNECTICUT  
MAP 04 / BLOCK 177 / LOT 00A

PREPARED FOR

**OWNER**  
NEWINGTON GAS DISTRIBUTORS, C/O PATRICIA CURRY  
19 SACHEM CIRCLE  
MERIDEN, CT 06450

**APPLICANT**  
DIYALA, LLC  
3 BUCKS CROSSING  
CROMWELL, CT 06416



## INDEX OF SHEETS

DESCRIPTION	SHEET NUMBER
TITLE SHEET	1
DETAILED SITE LAYOUT PLAN	2
GRADING, DRAINAGE & UTILITY PLAN	3
LANDSCAPING & LIGHTING PLAN	4
EROSION & SEDIMENTATION CONTROL PLAN	5
DETAILS	6-7

SCALE: 1" = 20'

PROJECT NUMBER:  
00082 - 00001

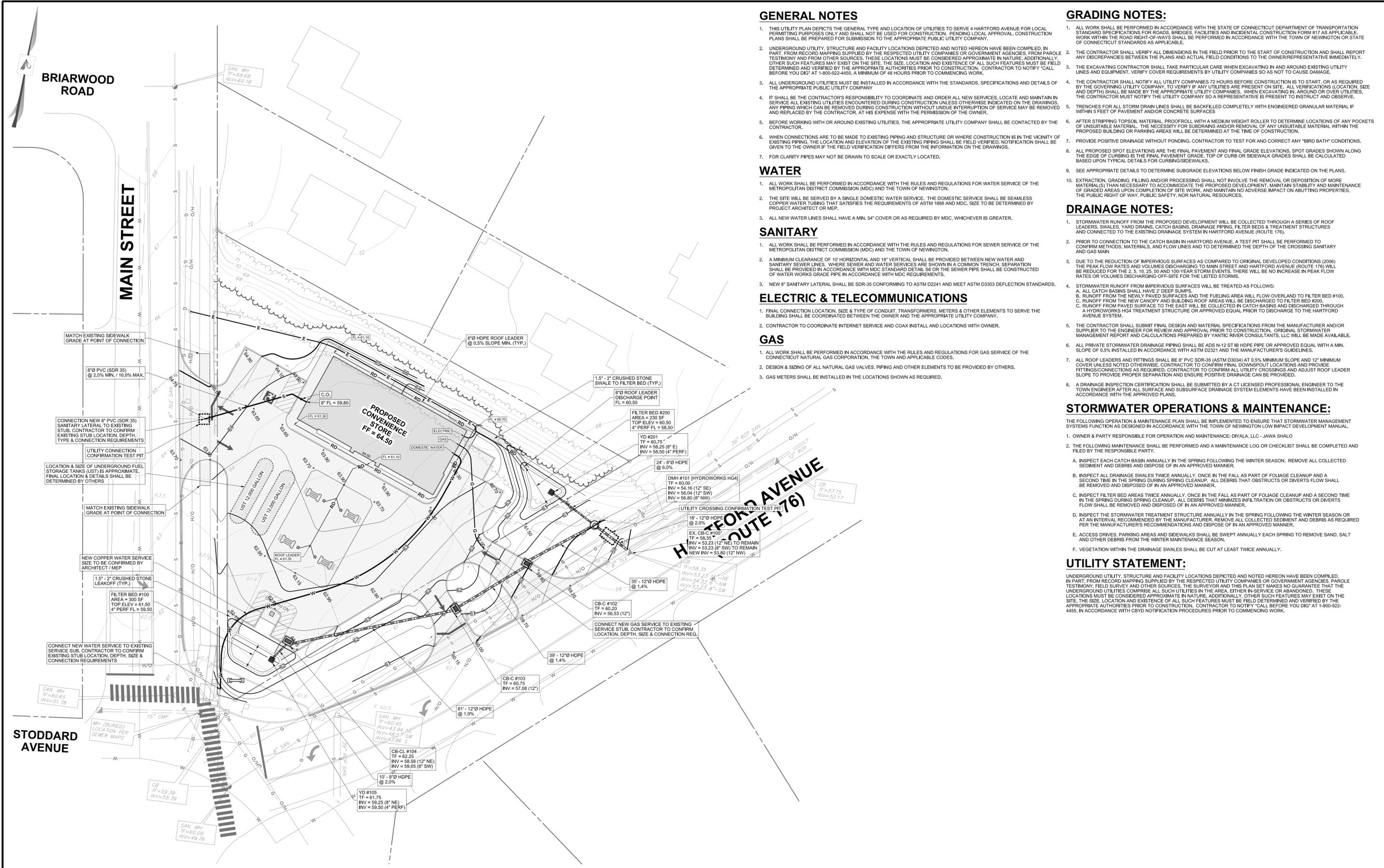
**CONTACT INFORMATION**  
YANTIC RIVER CONSULTANTS, LLC  
191 NORWICH AVENUE  
LEBANON, CONN 06249  
Phone: (860) 367-7264  
Email: yanticriver@gmail.com  
Web: www.yanticriverconsultants.com

**GAS STATION & CONVENIENCE STORE  
SITE DEVELOPMENT PLANS**  
PREPARED FOR  
DIYALA, LLC, APPLICANT  
**TITLE SHEET**

4 HARTFORD AVENUE  
NEWINGTON, CT

REVISION SUMMARY		SHEET
DATE	DESCRIPTION	1 OF 7
		DATE
		3/20/20
		REVISED





**GENERAL NOTES**

- THIS UTILITY PLAN DEPICTS THE GENERAL TYPE AND LOCATION OF UTILITIES TO SERVE 4 HARTFORD AVENUE FOR LOCAL PERMITTING PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION. PENDING LOCAL APPROVAL, CONSTRUCTION PLANS SHALL BE PREPARED FOR SUBMISSION TO THE APPROPRIATE PUBLIC UTILITY COMPANY.
- UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTED UTILITY COMPANIES OR GOVERNMENT AGENCIES. FROM PAROLE TESTIMONY AND FROM OTHER SOURCES, THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CONTRACTOR TO NOTIFY "CALL BEFORE YOU DIG" AT 1-800-922-4455, A MINIMUM OF 48 HOURS PRIOR TO COMMENCING WORK.
- ALL UNDERGROUND UTILITIES MUST BE INSTALLED IN ACCORDANCE WITH THE STANDARDS, SPECIFICATIONS AND DETAILS OF THE APPROPRIATE PUBLIC UTILITY COMPANY.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE AND ORDER ALL NEW SERVICES, LOCATE AND MAINTAIN IN SERVICE ALL EXISTING UTILITIES DURING CONSTRUCTION UNLESS OTHERWISE INDICATED ON THE DRAWINGS. ANY PIPING WHICH CAN BE REMOVED DURING CONSTRUCTION WITHOUT UNDUE INTERRUPTION OF SERVICE MAY BE REMOVED AND REPLACED BY THE CONTRACTOR, AT HIS EXPENSE WITH THE PERMISSION OF THE OWNER.
- BEFORE WORKING WITH OR AROUND EXISTING UTILITIES, THE APPROPRIATE UTILITY COMPANY SHALL BE CONTACTED BY THE CONTRACTOR.
- WHEN CONNECTIONS ARE TO BE MADE TO EXISTING PIPING AND STRUCTURE OR WHERE CONSTRUCTION IS IN THE VICINITY OF EXISTING PIPING, THE LOCATION AND ELEVATION OF THE EXISTING PIPING SHALL BE FIELD VERIFIED. NOTIFICATION SHALL BE GIVEN TO THE OWNER IF THE FIELD VERIFICATION DIFFERS FROM THE INFORMATION ON THE DRAWINGS.
- FOR CLARITY PIPES MAY NOT BE DRAWN TO SCALE OR EXACTLY LOCATED.

**WATER**

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR WATER SERVICE OF THE METROPOLITAN DISTRICT COMMISSION (MDC) AND THE TOWN OF NEWINGTON.
- THE SITE WILL BE SERVED BY A SINGLE DOMESTIC WATER SERVICE. THE DOMESTIC SERVICE SHALL BE SEAMLESS COPPER WATER TUBING THAT SATISFIES THE REQUIREMENTS OF ASTM 1888 AND MDC. SIZE TO BE DETERMINED BY PROJECT ARCHITECT OR MEP.
- ALL NEW WATER LINES SHALL HAVE A MIN. 54" COVER OR AS REQUIRED BY MDC, WHICHEVER IS GREATER.

**SANITARY**

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR SEWER SERVICE OF THE METROPOLITAN DISTRICT COMMISSION (MDC) AND THE TOWN OF NEWINGTON.
- A MINIMUM CLEARANCE OF 10' HORIZONTAL AND 18" VERTICAL SHALL BE PROVIDED BETWEEN NEW WATER AND SANITARY SEWER LINES. WHERE SEWER AND WATER SERVICES ARE SHOWN IN A COMMON TRENCH, SEPARATION SHALL BE PROVIDED IN ACCORDANCE WITH MDC STANDARD DETAIL S8 OR THE SEWER PIPE SHALL BE CONSTRUCTED OF WATER WORKS GRADE PIPE IN ACCORDANCE WITH MDC REQUIREMENTS.
- NEW 8" SANITARY LATERAL SHALL BE SDR-35 CONFORMING TO ASTM D2241 AND MEET ASTM D3303 DEFLECTION STANDARDS.

**ELECTRIC & TELECOMMUNICATIONS**

- FINAL CONNECTION LOCATION, SIZE & TYPE OF CONDUIT, TRANSFORMERS, METERS & OTHER ELEMENTS TO SERVE THE BUILDING SHALL BE COORDINATED BETWEEN THE OWNER AND THE APPROPRIATE UTILITY COMPANY.
- CONTRACTOR TO COORDINATE INTERNET SERVICE AND COAX INSTALL AND LOCATIONS WITH OWNER.

**GAS**

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR GAS SERVICE OF THE CONNECTICUT NATURAL GAS CORPORATION, THE TOWN AND APPLICABLE CODES.
- DESIGN & SIZING OF ALL NATURAL GAS VALVES, PIPING AND OTHER ELEMENTS TO BE PROVIDED BY OTHERS.
- GAS METERS SHALL BE INSTALLED IN THE LOCATIONS SHOWN AS REQUIRED.

**GRADING NOTES:**

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROADS, BRIDGES, FACILITIES AND INCIDENTAL CONSTRUCTION FORM 817 AS APPLICABLE. WORK WITHIN THE ROAD RIGHT-OF-WAYS SHALL BE PERFORMED IN ACCORDANCE WITH THE TOWN OF NEWINGTON OR STATE OF CONNECTICUT STANDARDS AS APPLICABLE.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD PRIOR TO THE START OF CONSTRUCTION AND SHALL REPORT ANY DISCREPANCIES BETWEEN THE PLANS AND ACTUAL FIELD CONDITIONS TO THE OWNER/REPRESENTATIVE IMMEDIATELY.
- THE EXCAVATING CONTRACTOR SHALL TAKE PARTICULAR CARE WHEN EXCAVATING IN AND AROUND EXISTING UTILITY LINES AND EQUIPMENT. VERIFY COVER REQUIREMENTS BY UTILITY COMPANIES SO AS NOT TO CAUSE DAMAGE.
- THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES 72 HOURS BEFORE CONSTRUCTION IS TO START OR AS REQUIRED BY THE GOVERNING UTILITY COMPANY. TO VERIFY IF ANY UTILITIES ARE PRESENT ON SITE. ALL VERIFICATIONS (LOCATION, SIZE AND DEPTH) SHALL BE MADE BY THE APPROPRIATE UTILITY COMPANIES. WHEN EXCAVATING IN, AROUND OR OVER UTILITIES, THE CONTRACTOR MUST NOTIFY THE UTILITY COMPANY SO A REPRESENTATIVE IS PRESENT TO INSTRUCT AND OBSERVE.
- TRENCHES FOR ALL STORM DRAIN LINES SHALL BE BACKFILLED COMPLETELY WITH ENGINEERED GRANULAR MATERIAL IF WITHIN 5 FEET OF PAVEMENT AND/OR CONCRETE SURFACES.
- AFTER STRIPPING TOPSOIL MATERIAL, PROOFROLL WITH A MEDIUM WEIGHT ROLLER TO DETERMINE LOCATIONS OF ANY POCKETS OF UNSUITABLE MATERIAL. THE NECESSITY FOR SUBDRAINS AND/OR REMOVAL OF ANY UNSUITABLE MATERIAL WITHIN THE PROPOSED BUILDING OR PARKING AREAS WILL BE DETERMINED AT THE TIME OF CONSTRUCTION.
- PROVIDE POSITIVE DRAINAGE WITHOUT PONDING. CONTRACTOR TO TEST FOR AND CORRECT ANY "BIRD BATH" CONDITIONS.
- ALL PROPOSED SPOT ELEVATIONS ARE THE FINAL PAVEMENT AND FINAL GRADE ELEVATIONS. SPOT GRADES SHOWN ALONG THE EDGE OF CURBING IS THE FINAL PAVEMENT GRADE. TOP OF CURB OR SIDEWALK GRADES SHALL BE CALCULATED BASED UPON TYPICAL DETAILS FOR CURBING/SIDEWALKS.
- SEE APPROPRIATE DETAILS TO DETERMINE DRAINAGE SUBGRADE ELEVATIONS BEFORE FINISH GRADE INDICATED ON THE PLANS.
- EXTRACTION, GRADING, FILLING AND/OR PROCESSING SHALL NOT INVOLVE THE REMOVAL OR DEPOSITION OF MORE MATERIAL(S) THAN NECESSARY TO ACCOMMODATE THE PROPOSED DEVELOPMENT, MAINTAIN STABILITY AND MAINTENANCE OF GRADED AREAS UPON COMPLETION OF SITE WORK, AND MAINTAIN NO ADVERSE IMPACT ON ABUTTING PROPERTIES, THE PUBLIC RIGHT OF WAY, PUBLIC SAFETY, NOR NATURAL RESOURCES.

**DRAINAGE NOTES:**

- STORMWATER RUNOFF FROM THE PROPOSED DEVELOPMENT WILL BE COLLECTED THROUGH A SERIES OF ROOF LEADERS, SWALES, YARD DRAINS, CATCH BASINS, DRAINAGE PIPING, FILTER BEDS & TREATMENT STRUCTURES AND CONNECTED TO THE EXISTING DRAINAGE SYSTEM IN HARTFORD AVENUE (ROUTE 176).
- PRIOR TO CONNECTION TO THE CATCH BASIN IN HARTFORD AVENUE, A TEST PIT SHALL BE PERFORMED TO CONFIRM METHODS, MATERIALS, AND FLOW LINES AND TO DETERMINE THE DEPTH OF THE CROSSING SANITARY AND GAS MAIN.
- DUE TO THE REDUCTION OF IMPERVIOUS SURFACES AS COMPARED TO ORIGINAL DEVELOPED CONDITIONS (2006) THE PEAK FLOW RATES AND VOLUMES DISCHARGING TO MAIN STREET AND HARTFORD AVENUE (ROUTE 176) WILL BE REDUCED FOR THE 2, 5, 10, 25, 50 AND 100-YEAR STORM EVENTS. THERE WILL BE NO INCREASE IN PEAK FLOW RATES OR VOLUMES DISCHARGING OFF-SITE FOR THE LISTED STORMS.
- STORMWATER RUNOFF FROM IMPERVIOUS SURFACES WILL BE TREATED AS FOLLOWS:
  - ALL CATCH BASINS SHALL HAVE 2' DEEP SUMPS.
  - RUNOFF FROM THE NEWLY PAVED SURFACES AND THE FUELING AREA WILL FLOW OVERLAND TO FILTER BED #100.
  - RUNOFF FROM THE NEW CANOPY AND BUILDING ROOF AREAS WILL BE DISCHARGED TO FILTER BED #200.
  - RUNOFF FROM PAVED SURFACE TO THE EAST WILL BE COLLECTED IN CATCH BASINS AND DISCHARGED THROUGH A HYDROWORKS H4-TREATMENT STRUCTURE OR APPROVED EQUAL RISE TO DISCHARGE TO THE HARTFORD AVENUE SYSTEM.
- THE CONTRACTOR SHALL SUBMIT FINAL DESIGN AND MATERIAL SPECIFICATIONS FROM THE MANUFACTURER AND/OR SUPPLIER TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. ORIGINAL STORMWATER MANAGEMENT REPORT AND CALCULATIONS PREPARED BY YANTIC RIVER CONSULTANTS, LLC WILL BE MADE AVAILABLE.
- ALL PRIVATE STORMWATER DRAINAGE PIPING SHALL BE ADS N-12 ST 18" HDPE PIPE OR APPROVED EQUAL WITH A MIN. SLOPE OF 0.5% INSTALLED IN ACCORDANCE WITH ASTM D2221 AND THE MANUFACTURER'S GUIDELINES.
- ALL ROOF LEADERS AND FITTINGS SHALL BE 8" PVC SDR-35 (ASTM D3034) AT 0.5% MINIMUM SLOPE AND 12" MINIMUM COVER UNLESS NOTED OTHERWISE. CONTRACTOR TO CONFIRM FINAL DOWNSPOUT LOCATION AND PROVIDE FITTINGS/CONNECTIONS AS REQUIRED. CONTRACTOR TO CONFIRM ALL UTILITY CROSSINGS AND ADJUST ROOF LEADER SLOPE TO PROVIDE PROPER SEPARATION AND ENSURE POSITIVE DRAINAGE CAN BE PROVIDED.
- A DRAINAGE INSPECTION CERTIFICATION SHALL BE SUBMITTED BY A CT LICENSED PROFESSIONAL ENGINEER TO THE TOWN ENGINEER AFTER ALL SURFACE AND SUBSURFACE DRAINAGE SYSTEM ELEMENTS HAVE BEEN INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS.

**STORMWATER OPERATIONS & MAINTENANCE:**

THE FOLLOWING OPERATION & MAINTENANCE PLAN SHALL BE IMPLEMENTED TO ENSURE THAT STORMWATER MANAGEMENT SYSTEMS FUNCTION AS DESIGNED IN ACCORDANCE WITH THE TOWN OF NEWINGTON LOW IMPACT DEVELOPMENT MANUAL.

- OWNER & PARTY RESPONSIBLE FOR OPERATION AND MAINTENANCE: DIYALA, LLC - JAWA SHALO
- THE FOLLOWING MAINTENANCE SHALL BE PERFORMED AND A MAINTENANCE LOG OR CHECKLIST SHALL BE COMPLETED AND FILED BY THE RESPONSIBLE PARTY.
  - INSPECT EACH CATCH BASIN ANNUALLY IN THE SPRING FOLLOWING THE WINTER SEASON. REMOVE ALL COLLECTED SEDIMENT AND DEBRIS AND DISPOSE OF IN AN APPROVED MANNER.
  - INSPECT ALL DRAINAGE SWALES TWICE ANNUALLY, ONCE IN THE FALL AS PART OF FOLIAGE CLEANUP AND A SECOND TIME IN THE SPRING DURING SPRING CLEANUP. ALL DEBRIS THAT OBSTRUCTS OR DIVERTS FLOW SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER.
  - INSPECT FILTER BED AREAS TWICE ANNUALLY, ONCE IN THE FALL AS PART OF FOLIAGE CLEANUP AND A SECOND TIME IN THE SPRING DURING SPRING CLEANUP. ALL DEBRIS THAT MINIMIZES INFILTRATION OR OBSTRUCTS OR DIVERTS FLOW SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER.
  - INSPECT THE STORMWATER TREATMENT STRUCTURE ANNUALLY IN THE SPRING FOLLOWING THE WINTER SEASON OR AT AN INTERVAL RECOMMENDED BY THE MANUFACTURER. REMOVE ALL COLLECTED SEDIMENT AND DEBRIS AS REQUIRED PER THE MANUFACTURER'S RECOMMENDATIONS AND DISPOSE OF IN AN APPROVED MANNER.
  - ACCESS DRIVES, PARKING AREAS AND SIDEWALKS SHALL BE SWEEPED ANNUALLY EACH SPRING TO REMOVE SAND, SALT AND OTHER DEBRIS FROM THE WINTER MAINTENANCE SEASON.
  - VEGETATION WITHIN THE DRAINAGE SWALES SHALL BE CUT AT LEAST TWICE ANNUALLY.

**UTILITY STATEMENT:**

UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTED UTILITY COMPANIES OR GOVERNMENT AGENCIES. PAROLE TESTIMONY, FIELD SURVEY AND OTHER SOURCES. THE SURVEYOR AND THIS PLAN SET MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN-SERVICE OR ABANDONED. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CONTRACTOR TO NOTIFY "CALL BEFORE YOU DIG" AT 1-800-922-4455, IN ACCORDANCE WITH CBYD NOTIFICATION PROCEDURES PRIOR TO COMMENCING WORK.

SCALE: 1" = 20'

PROJECT NUMBER:  
00082 - 00001



**CONTACT INFORMATION**  
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191 NORWICH AVENUE  
LEBANON, CONN 06249  
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Email: yanticriver@gmail.com  
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REVISION SUMMARY	
DATE	DESCRIPTION

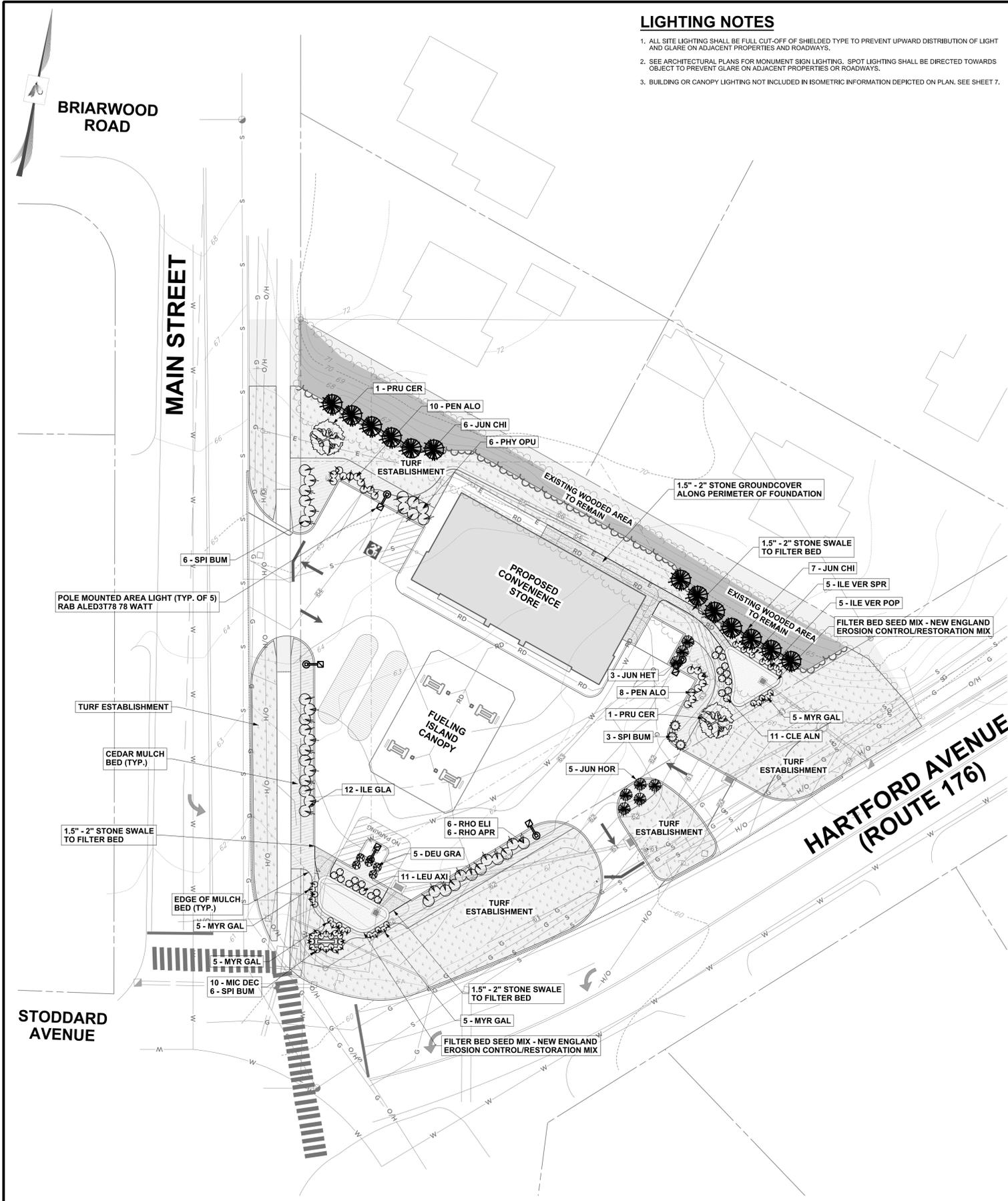
**GAS STATION & CONVENIENCE STORE SITE DEVELOPMENT PLANS**

PREPARED FOR  
DIYALA, LLC, APPLICANT

**GRADING, DRAINAGE & UTILITY PLAN**

4 HARTFORD AVENUE  
NEWINGTON, CT

SHEET	3 OF 7
DATE	3/20/20
REVISED	



**LIGHTING NOTES**

1. ALL SITE LIGHTING SHALL BE FULL CUT-OFF OF SHIELDED TYPE TO PREVENT UPWARD DISTRIBUTION OF LIGHT AND GLARE ON ADJACENT PROPERTIES AND ROADWAYS.
2. SEE ARCHITECTURAL PLANS FOR MONUMENT SIGN LIGHTING. SPOT LIGHTING SHALL BE DIRECTED TOWARDS OBJECT TO PREVENT GLARE ON ADJACENT PROPERTIES OR ROADWAYS.
3. BUILDING OR CANOPY LIGHTING NOT INCLUDED IN ISOMETRIC INFORMATION DEPICTED ON PLAN. SEE SHEET 7.

**LANDSCAPE PLANTING NOTES:**

1. ALL LANDSCAPE MATERIALS AND METHODS SHALL COMPLY WITH TOWN OF NEWINGTON REGULATIONS AND REQUIREMENTS.
2. ALL AREAS OF THE PROJECT SITE AFFECTED BY CONSTRUCTION OPERATIONS AND NOT COVERED BY BUILDINGS, ROADS, PARKING LOTS, WALKS, PLANTING BEDS, OR OTHER PERMANENT IMPROVEMENTS SHALL BE FINE GRADED, FERTILIZED AND SEEDED WITH A PERENNIAL TURF TYPE GRASS SEED MIX.
3. ALL LANDSCAPE MATERIALS SHALL COMPLY WITH STATE OF CONNECTICUT DOT STANDARD SPECIFICATIONS FORM 817, AS AMENDED.
4. SOIL PREPARATION SHALL BE LIMITED TO AREAS TO BE PLANTED WITHIN SEVEN (7) DAYS.
5. SPREAD TOPSOIL THAT IS FERTILE, FRAGILE, NATURAL LOAM WITHIN LAWN AREAS TO A MINIMUM DEPTH OF 4 INCHES UNLESS OTHERWISE NOTED. REMOVE ALL STONES, STICKS, WEEDS, CLODS, LUMPS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER OVER 1 INCH IN ANY DIMENSION WITHIN 4" OF FINISH GRADE.
6. PROTECT EXISTING LAWN AREAS AND CREATE A SMOOTH TRANSITION BETWEEN THEM AND NEW WORK. REPAIR ANY DAMAGE TO THE SATISFACTION OF THE OWNER OR LANDSCAPE ARCHITECT.
7. SECURE ACCEPTANCE OF FINE GRADING BY THE OWNERS REPRESENTATIVE PRIOR TO THE COMMENCEMENT OF SEEDING OR SODDING OPERATIONS.
8. MOISTEN PREPARED LAWN AREAS BEFORE PLANTING IF SOIL IS DRY. WATER THOROUGHLY AND ALLOW SURFACE TO DRY OFF BEFORE PLANTING OF LAWNS. DO NOT CREATE A MUDDY SOIL CONDITION.
9. RESTORE PREPARED AREAS TO SPECIFIED CONDITION IF ERODED OR OTHERWISE DISTURBED AFTER FINE GRADING AND PRIOR TO PLANTING.
10. PLANT MATERIAL SHALL BE INSTALLED AFTER FINAL GRADES AREA ESTABLISHED AND PRIOR TO PLANTING OF LAWNS, UNLESS OTHERWISE ACCEPTABLE TO OWNER'S REPRESENTATIVE. IF PLANTING OF TREES AND SHRUBS OCCURS AFTER LAWN WORK, PROTECT LAWN AREAS AND PROMPTLY REPAIR DAMAGE RESULTING FROM PLANTING OPERATIONS.
11. PROVIDE TREES, SHRUBS, AND ALL OTHER PLANT MATERIAL OF GENUS, SPECIES, VARIETY, HEIGHT AND CALIPER SHOWN.
12. PLANT MATERIAL SHALL BE INSTALLED IN THE FOLLOWING STEPS:
  - A. EXCAVATE PITS, BEDS, AND TRENCHES WITH SLOPING SIDES AND A FLAT BOTTOM. LOOSEN HARD SUBSOIL IN BOTTOM OF EXCAVATION.
  - B. EXCAVATIONS FOR BALLED AND BURLAPPED (B&B) TREES AND SHRUBS SHALL BE 2 TO 3 TIMES THE WIDTH BUT NO DEEPER THAN THE ROOT BALL.
  - C. PLACE PLANT MATERIAL IN HOLE. CLIP AND ROLL DOWN OR REMOVE THE WIRE CAGE, BURLAP AND NYLON STRING.
  - D. PRUNE CLEANLY ANY DEAD OR CRUSHED ROOTS AND STRAIGHTEN OR CUT ENCIRCLING ROOTS IF PRESENT.
  - E. USING THE SAME SOIL AS DUG FROM THE HOLE, FILL UNDER AND AROUND THE ROOT BALL, GENTLY PRESS INTO PLACE. FILL THE HOLE PARTIALLY WITH WATER. CONTINUE TO PLACE SOIL INTO THE HOLE UNTIL THE SURFACE LEVEL IS JUST BELOW THE ROOT COLLAR.
  - F. CREATE A SOIL BERM AROUND THE TRUNK TWO (2) TIMES THE WIDTH OF THE ROOT BALL. ADD 3" OF SHREDDED BARK MULCH OR APPROVED EQUAL OVER THE SOIL BERM STAYING AT LEAST 3' AWAY FROM THE ROOT COLLAR.
13. ALL PLANT MATERIALS SHALL BE INSPECTED FOR DEFECTS OR DAMAGE BEFORE PLANTING. SUBSTANDARD PLANTS SHALL BE RETURNED TO, AND REPLACED BY THE CONTRACTOR. ACCEPTABLE PLANTS ARE TO BE PLANTED PER THE SPECIFICATIONS OF THE PLANTING PLAN. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE FOR THE SAFEKEEPING AND MAINTENANCE OF THESE PLANTS FOR THE DURATION OF SITE CONSTRUCTION ACTIVITY. ONCE PLANTED, ALL MACHINERY SHALL AVOID THESE PLANTED AREAS WHICH SHOULD BE DEMARCATED CLEARLY BY FLAGGED FIELD STAKES. PROVISIONS FOR REGULAR WATERING AND INSPECTIONS SHALL BE MADE BY THE OWNER, OR NURSERY CONTRACTOR FOR THE DURATION OF THE PLANT'S FIRST YEAR IN THE GROUND.
14. ALL PLANT MATERIAL PLACEMENT IS SUBJECT TO FIELD ADJUSTMENT IN RESPONSE TO SITE CONDITIONS. THESE ADJUSTMENTS SHALL BE AT THE DISCRETION OF THE OWNER OR LANDSCAPE ARCHITECT.
15. ALL PLANT MATERIALS ARE SUBJECT TO REPLACEMENT BY SUITABLE ALTERNATIVES PER AGREEMENT BETWEEN OWNER, LANDSCAPE ARCHITECT, NURSERY CONTRACTOR, AND APPROPRIATE AGENCIES.
16. PLANT MATERIALS ARE TO BE PLANTED IN ACCORDANCE WITH REQUIREMENTS SPECIFIED IN THE PLANTING SPECIFICATIONS. AN APPLICATION OF LIME MAY BE REQUIRED IN ADDITION TO A STANDARD APPLICATION OF A COMPLETE FERTILIZER COMPOUND AT THE DISCRETION OF THE OWNER OR LANDSCAPE ARCHITECT.

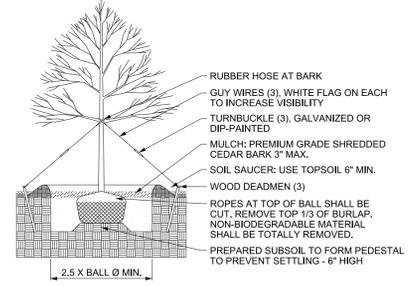
PLANT LIST					
LABEL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT
<b>DECIDUOUS TREES</b>					
PRU CER	2	THUNDERCLOUD FLOWERING PLUM	PRUNUS CERASIFERA 'THUNDERCLOUD'	3" CAL.	B&B
<b>DECIDUOUS SHRUBS</b>					
CLE ALN	11	CRYSTALINA SUMMERSWEET	CLETHRA ALNIFOLIA 'CRYSTALINA'	3 GAL.	CG
DEU GRA	5	SLENDER DEUTZIA	DEUTZIA GRACILIS	3 GAL.	CG
ILE VER POP	5	MIR. POPPINS WINTERBERRY	ILEX VERTICILLATA 'MR. POPPINS' (M&M)	3 GAL.	CG
ILE VER SPR	5	RED SPRITE WINTERBERRY	ILEX VERTICILLATA 'RED SPRITE' (F&H&H)	3 GAL.	CG
PHY OPU	6	TINY WINE N'EBARK	PHYSCARPUS OPAUFOLIUS 'TINY WINE'	3 GAL.	CG
SPI BUM	15	GOLDFLAME SPIREA	SPIREA BUMALDA 'GOLD FLAME'	3 GAL.	CG
<b>EVERGREEN TREES &amp; SHRUBS</b>					
ILE GLA	12	STRONGBOX HARBERRY	ILEX GLABRA 'STRONGBOX'	3 GAL.	CG
JUN CHI	13	BLUE POINT JUNPER	JUNIPERUS CHINENSIS 'BLUE POINT'	4 MIN.	CG
JUN HET	3	COLUMNAR HETZL JUNPER	JUNIPERUS CHIN. HETZL COLUMNARIS	4 MIN.	CG
JUN HOR	5	BAR HARBOR JUNPER	JUNIPERUS HORIZONTALIS 'BAR HARBOR'	3 GAL.	CG
LEU AXI	11	COAST LEUCOTHAUS	LEUCOTHAUS AXILLARIS	3 GAL.	CG
MIC DEC	10	CELTIC PRIDE RUSSIAN CYPRESS	MICROBOTA DECUSSATA	5 GAL.	CG
MYR GAL	20	LOWBOY SWEET GALE BAYBERRY	MYRICA GALE LOWBOY'	3 GAL.	CG
RHO APR	6	APRIL SNOW P.J.M. HYBRID RHODO.	RHODODENDRON P.J.M. HYBRID 'APRIL SNOW'	3 GAL.	CG
RHO ELI	6	ELITE P.J.M. HYBRID RHODO.	RHODODENDRON P.J.M. HYBRID ELITE	3 GAL.	CG
<b>GRASSES</b>					
PEN ALO	18	DWARF FOUNTAIN GRASS	FENISTELUM ALOPECUROIDES	1 GAL.	CG

LANDSCAPING COMPLIANCE TABLE				
ITEM	STANDARD	UNIT	REQUIRED	PROPOSED
LOT LANDSCAPE	10% MIN. LOT AREA'	0.1 X 23,504	2,350 SF	3,780 SF <sup>2</sup>
INTERIOR PARKING	10% MIN. PARKING AREA	0.1 X 10,250	1,025 SF	1,630 SF <sup>3</sup>

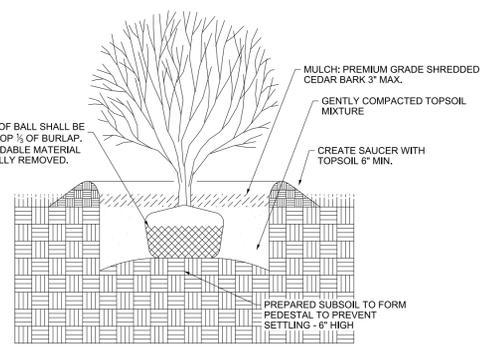
NOTES:  
 1. PER 8.10.1, 10% MIN. LOT LANDSCAPING CANNOT INCLUDE YARDS. ADDITIONAL GREEN SPACE OF YARDS = 5,540 SF.  
 2. AREA INCLUDES ALL PERVIOUS AREA INTERNAL OF THE YARDS.  
 3. AREA INCLUDES ALL LANDSCAPING DESIGNATED BY MULCH.

**LIGHTING NOTES**

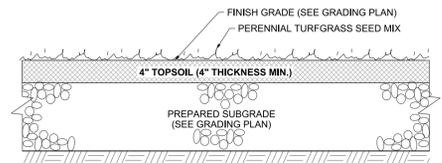
1. ALL SITE LIGHTING SHALL BE FULL CUT-OFF OF SHIELDED TYPE TO PREVENT UPWARD DISTRIBUTION OF LIGHT AND GLARE ON ADJACENT PROPERTIES AND ROADWAYS.
2. SEE ARCHITECTURAL PLANS FOR MONUMENT SIGN LIGHTING. SPOT LIGHTING SHALL BE DIRECTED TOWARDS OBJECT TO PREVENT GLARE ON ADJACENT PROPERTIES OR ROADWAYS.
3. BUILDING OR CANOPY LIGHTING NOT INCLUDED IN ISOMETRIC INFORMATION DEPICTED ON PLAN. SEE SHEET 7.



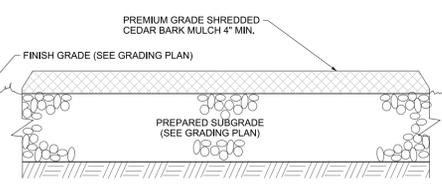
**TREE PLANTING**  
NOT TO SCALE



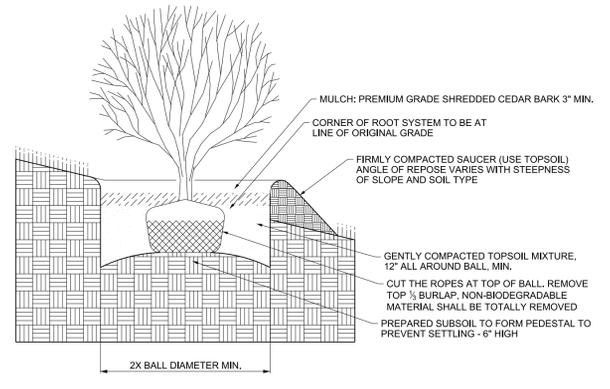
**SHRUB PLANTING**  
NOT TO SCALE



**TURF ESTABLISHMENT**  
NOT TO SCALE



**MULCH SURFACE TREATMENT**  
NOT TO SCALE



**SHRUB PLANTED ON SLOPE**  
NOT TO SCALE

SCALE: 1" = 20'

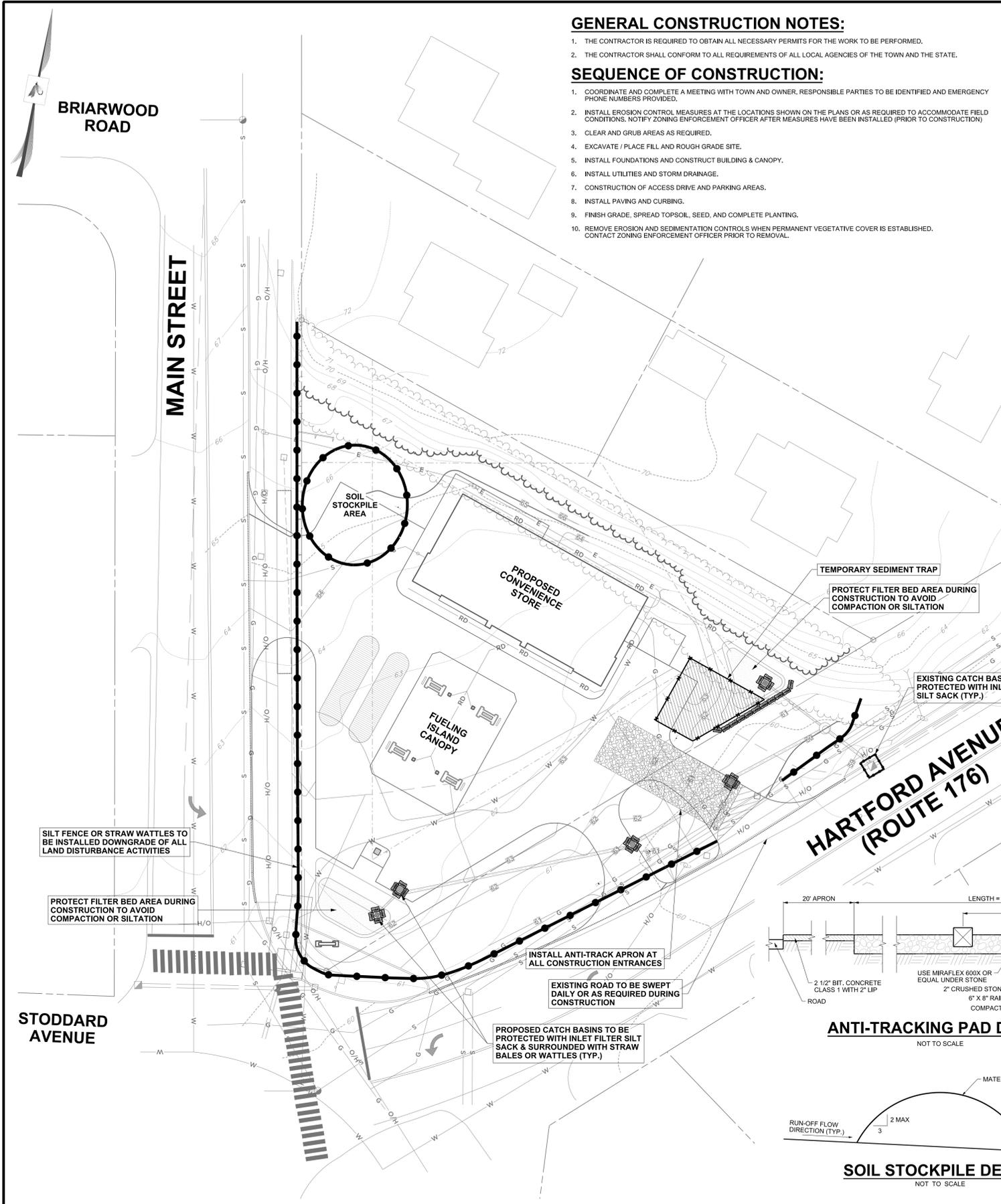
PROJECT NUMBER:  
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**CONTACT INFORMATION**  
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PROFESSIONAL SEAL

**GAS STATION & CONVENIENCE STORE  
SITE DEVELOPMENT PLANS**  
 PREPARED FOR  
 DIYALA, LLC, APPLICANT  
**LANDSCAPING & LIGHTING PLAN**

REVISION SUMMARY		SHEET 4 OF 7
DATE	DESCRIPTION	
3/20/20	PREPARED FOR DIYALA, LLC, APPLICANT	DATE
		REVISED



**GENERAL CONSTRUCTION NOTES:**

1. THE CONTRACTOR IS REQUIRED TO OBTAIN ALL NECESSARY PERMITS FOR THE WORK TO BE PERFORMED.
2. THE CONTRACTOR SHALL CONFORM TO ALL REQUIREMENTS OF ALL LOCAL AGENCIES OF THE TOWN AND THE STATE.

**SEQUENCE OF CONSTRUCTION:**

1. COORDINATE AND COMPLETE A MEETING WITH TOWN AND OWNER. RESPONSIBLE PARTIES TO BE IDENTIFIED AND EMERGENCY PHONE NUMBERS PROVIDED.
2. INSTALL EROSION CONTROL MEASURES AT THE LOCATIONS SHOWN ON THE PLANS OR AS REQUIRED TO ACCOMMODATE FIELD CONDITIONS. NOTIFY ZONING ENFORCEMENT OFFICER AFTER MEASURES HAVE BEEN INSTALLED (PRIOR TO CONSTRUCTION)
3. CLEAR AND GRUB AREAS AS REQUIRED.
4. EXCAVATE / PLACE FILL AND ROUGH GRADE SITE.
5. INSTALL FOUNDATIONS AND CONSTRUCT BUILDING & CANOPY.
6. INSTALL UTILITIES AND STORM DRAINAGE.
7. CONSTRUCTION OF ACCESS DRIVE AND PARKING AREAS.
8. INSTALL PAVING AND CURBING.
9. FINISH GRADE, SPREAD TOPSOIL, SEED, AND COMPLETE PLANTING.
10. REMOVE EROSION AND SEDIMENTATION CONTROLS WHEN PERMANENT VEGETATIVE COVER IS ESTABLISHED. CONTACT ZONING ENFORCEMENT OFFICER PRIOR TO REMOVAL.

**EROSION & SEDIMENT CONTROL PLAN:**

1. OWNER & PARTY RESPONSIBLE FOR EROSION & SEDIMENTATION CONTROL: JAWA SAHLO - DIYALA, LLC. EMERGENCY PHONE: TO BE PROVIDED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
2. ALL EROSION AND CONTROL MEASURES SHALL BE INSTALLED AT THE PROJECT SITE PRIOR TO CONSTRUCTION WHEREVER POSSIBLE.
3. AN ANTI-TRACKING APRON WILL BE INSTALLED AT THE ENTRANCE TO THE CONSTRUCTION SITE IN ORDER TO PREVENT THE TRANSPORT OF SEDIMENTS OFF THE CONSTRUCTION SITE BY TRUCK AND CONSTRUCTION EQUIPMENT TRAFFIC. WHERE POSSIBLE EXISTING PAVED APRONS AND SURFACES SHALL BE MAINTAINED TO MINIMIZE TRACKING. THE SURROUNDING ROAD SURFACES SHALL BE SWEEPED AS REQUIRED.
4. ALL CATCH BASINS WITHIN THE PROJECT AREA, INCLUDING WITHIN HARTFORD AVENUE, WILL BE PROTECTED WITH INLET CONTROL FILTER SILT SACKS AS SHOWN ON THE PLAN THROUGHOUT THE CONSTRUCTION PERIOD. IN ADDITION, CATCH BASINS ON THE SITE SHALL BE PROTECTED WITH STRAW WADDLES OR HAYBALES.
5. AN EROSION CONTROL SYSTEM SHALL BE INSTALLED AROUND ALL STOCKPILES OF SOIL.
6. DUST CONTROL MEASURES SHALL BE APPLIED THROUGHOUT THE CONSTRUCTION PERIOD AS REQUIRED.
7. TEMPORARY DEWATERING AND/OR SILTATION BASINS SHALL BE INSTALLED AS NECESSARY DURING SITE CONSTRUCTION. ALL DEWATERING DISCHARGE AND RUNOFF SHALL BE DIRECTED TO THE BASIN. CONSTRUCTION WASTEWATERS SHALL NOT BE DIRECTLY DISCHARGED TO STORM DRAINAGE OR THE ROAD.

**EROSION & SEDIMENT CONTROL NOTES:**

1. CONSTRUCTION IS ANTICIPATED TO COMMENCE IN THE SUMMER OF 2020 AND BE COMPLETED IN 2021, WEATHER PERMITTING.
2. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AS SHOWN ON THE PLANS, OR AS DIRECTED BY THE TOWN OF NEWINGTON PRIOR TO CONSTRUCTION.
3. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE "CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL", DATED 2002, AS AMENDED AND THE TOWN OF NEWINGTON REGULATIONS.
4. ALL EROSION CONTROL DEVICES SHALL BE MAINTAINED OR REPLACED BY THE CONTRACTOR DURING THE CONSTRUCTION PERIOD AS NECESSARY OR AS REQUIRED BY THE ENGINEER OR THE TOWN.
5. SEDIMENT REMOVED FROM ANY CONTROL STRUCTURES SHALL BE DISPOSED OF IN A MANNER WHICH IS CONSISTENT WITH THE INTENT OF THE PLAN.
6. ADDITIONAL EROSION CONTROL MEASURES WILL BE INSTALLED DURING THE CONSTRUCTION PERIOD IF DEEMED NECESSARY OR REQUIRED BY THE ENGINEER OR THE TOWN.
7. THE CONTRACTOR WILL BE RESPONSIBLE FOR IMPLEMENTING ALL EROSION AND SEDIMENTATION CONTROL DEVICES AS SHOWN ON THESE PLANS OR AS DIRECTED BY THE ENGINEER OR TOWN.
8. ALL DISTURBED AREAS ARE TO BE RAKED, SEEDED AND FERTILIZED PER "TURF ESTABLISHMENT" SPECIFICATION IN CTDOT 816.
9. AREAS OUTSIDE OF PAVED AREAS, WALKS, AND BUILDINGS ARE TO RECEIVE A MINIMUM 4" OF TOPSOIL.
10. THE FOLLOWING DATES FOR SEEDING SHALL BE USED: SPRING: APRIL 15 TO JUNE 15, FALL: AUGUST 15 TO SEPTEMBER 15
11. GRASS SEED MIXTURES SHALL BE APPLIED AT A RATE NO LESS THAN 100LBS PER ACRE OR AS RECOMMENDED BY MANUFACTURER.
12. TEMPORARY GRASS SEEDING, IF NECESSARY, SHALL BE PERENNIAL RYE GRASS APPLIED AT A RATE OF 100 LBS. PER ACRE.

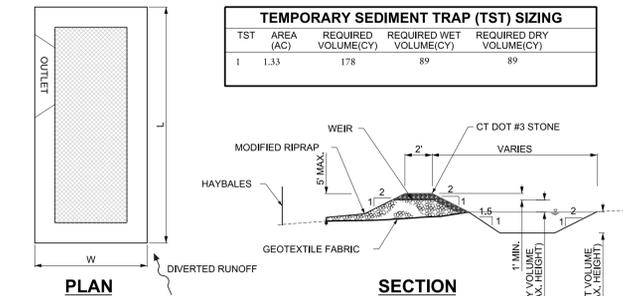
**INSPECTION AND MAINTENANCE**

REGULAR INSPECTION AND MAINTENANCE IS CRITICAL FOR THE EFFECTIVENESS OF SOIL EROSION & SEDIMENTATION CONTROLS. THE RESPONSIBLE PARTY (SEQUENCE OF CONSTRUCTION 1) SHALL IMPLEMENT THE FOLLOWING MEASURES THROUGHOUT THE CONSTRUCTION PERIOD UNTIL THE SITE IS STABILIZED.

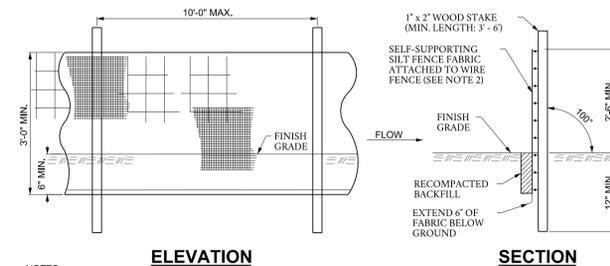
1. PRIOR TO A MAJOR STORM IN WHICH THE NOAA ISSUES WARNINGS OF FLOODING, SEVERE WEATHER CONDITIONS OR EFFECTS, ALL E&S CONTROLS SHALL BE INSPECTED, MAINTAINED, REPAIRED AND/OR CLEANED TO ENSURE THEY ARE IN PROPER WORKING ORDER.
2. ALL E&S CONTROLS SHALL BE INSPECTED, REPAIRED, AND CLEANED WITHIN 24 HOURS AFTER RAINFALL EVENTS GREATER THAN 0.1 INCHES
3. ALL STORMWATER STRUCTURES SHALL BE INSPECTED WITHIN 24 HOURS AFTER RAINFALL EVENTS GREATER THAN 0.1 INCHES AND CLEANED AS FOLLOWS:
  - A. CATCH BASINS - REMOVE COLLECTED SEDIMENT WHEN LEVELS REACH 1/2 DEPTH OF SUMP
  - B. SWALES - REMOVE COLLECTED SEDIMENT WHEN LEVELS REACH 1/2 DEPTH
  - C. STORMWATER TREATMENT STRUCTURE - PER MANUFACTURER'S RECOMMENDATIONS
3. THE FOLLOWING ROUTINE INSPECTION AND MAINTENANCE SCHEDULE SHALL BE IMPLEMENTED:
  - A. MAIN STREET AND HARTFORD AVENUE SHALL BE INSPECTED AND TRACKED MATERIALS SWEEPED DAILY OR AS REQUIRED.
  - B. TEMPORARY CONTROLS, INCLUDING ANTI-TRACKING APRON, SILT FENCE, SILT SACKS, HAY BALES SHALL BE INSPECTED WEEKLY AND CLEANED AS FOLLOWS:
    - I. ANTI-TRACKING APRON - REPLENISH OR REPLACE STONE WHEN AS NECESSARY TO ENSURE SUFFICIENT CAPTURE OF SEDIMENTS WITHIN VOIDS
    - II. SILT FENCE/HAY BALES - REMOVE COLLECTED SEDIMENT WHEN LEVELS REACH 1/2 THE HEIGHT (MAX.)
    - III. SILT SACKS - CLEAN PER MANUFACTURER'S RECOMMENDATIONS
4. ALL STORMWATER STRUCTURES SHALL BE CLEANED AFTER REMOVAL OF E&S CONTROLS.

**MAINTENANCE:**

1. INSPECT THE TEMPORARY SEDIMENT TRAP AT LEAST ONCE A WEEK AND WITHIN 24 HOURS OF THE END OF A STORM WITH A RAINFALL AMOUNT OF 0.5 INCH OR GREATER.
2. DEWATER, REMOVE SEDIMENTS AND RESTORE BASIN TO ORIGINAL DIMENSIONS WHEN SEDIMENTS ACCUMULATED TO 1/2 WET STORAGE VOLUME.
3. THE TEMPORARY SEDIMENT TRAPS SHALL BE REMOVED AFTER THE CONTRIBUTING DRAINAGE AREA IS STABILIZED.
4. ALL PROPOSED SEDIMENT TRAPS SHALL BE CONSTRUCTED ACCORDING TO THE 2002 CT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL REQUIREMENTS.

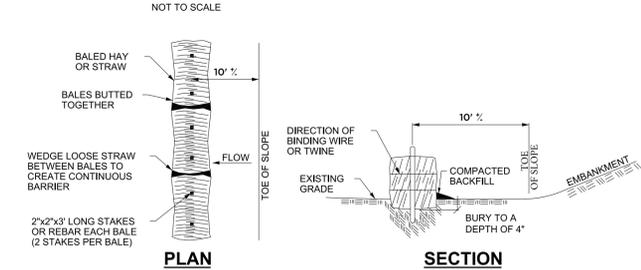


**TEMPORARY SEDIMENT TRAP**

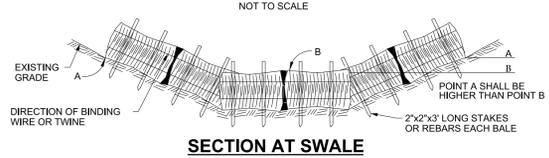


- NOTES:
1. INSTALL SILT FENCE & WOOD STAKES AS RECOMMENDED BY MANUFACTURER.
  2. SILT FENCE SUBJECT TO HEAVY LOADS SHALL BE REINFORCED WITH FARM FENCING & STEEL POSTS (0.5 # STEEL, L.F.). THE MINIMUM POST LENGTH SHALL BE 5'-0".
  3. SILT FENCE FABRIC SHALL BE A PERVIOUS SHEET OF WOVEN PROPYLENE, NYLON, POLYESTER OR POLYETHYLENE FILAMENTS AND SHALL BE CERTIFIED BY THE MANUFACTURER OR SUPPLIER.

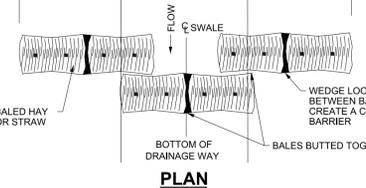
**SILT FENCE**



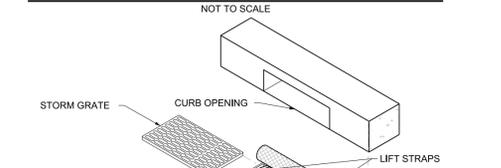
**HAY BALES AT TOE OF SLOPE**



**HAY BALES AT SWALE**



**HAY BALES AROUND CATCH BASIN**



- NOTES:
1. INSTALL PER MANUFACTURER SPECIFICATIONS.
  2. INSPECT PER EROSION CONTROL NOTES OR AS DIRECTED.
  3. REMOVE SEDIMENT WHEN BAG IS HALF FULL AND DEPOSIT PER EROSION CONTROL NOTES.
  4. REPAIR OR REPLACE WITHIN 24 HOURS OF OBSERVED FAILURE.

**INLET SEDIMENT CONTROL DEVICE**



SCALE: 1" = 20'

PROJECT NUMBER: 00082 - 00001

**CONTACT INFORMATION**

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PROFESSIONAL SEAL

**GAS STATION & CONVENIENCE STORE SITE DEVELOPMENT PLANS**

PREPARED FOR  
 DIYALA, LLC, APPLICANT

**EROSION & SEDIMENTATION CONTROL PLAN**

4 HARTFORD AVENUE NEWINGTON, CT

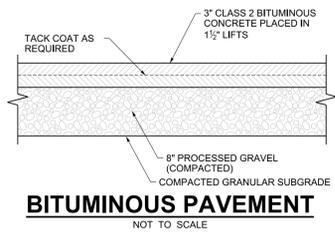
**REVISION SUMMARY**

DATE	DESCRIPTION

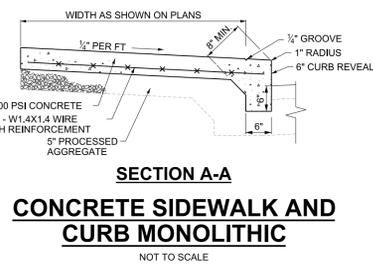
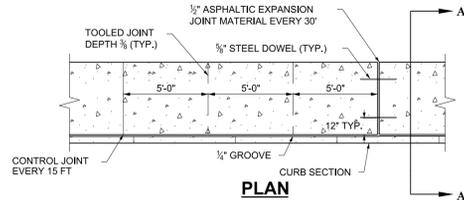
**SHEET 5 OF 7**

DATE: 3/20/20

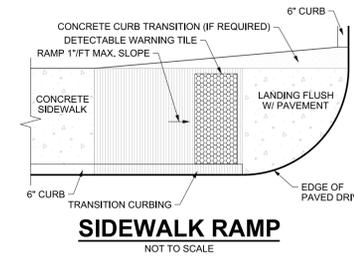
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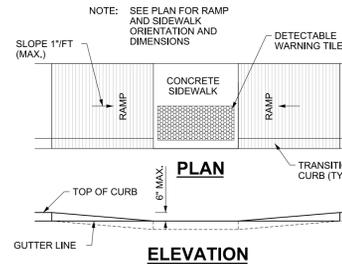
**BITUMINOUS PAVEMENT**  
NOT TO SCALE



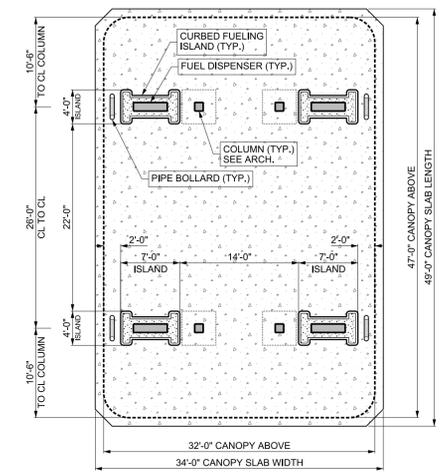
**SECTION A-A**  
**CONCRETE SIDEWALK AND CURB MONOLITHIC**  
NOT TO SCALE



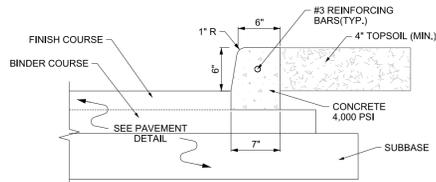
**SIDEWALK RAMP**  
NOT TO SCALE



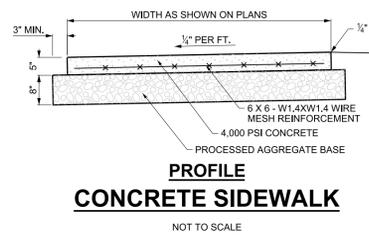
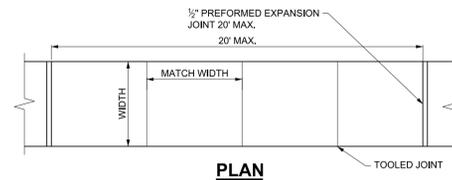
**SIDEWALK RAMP**  
NOT TO SCALE



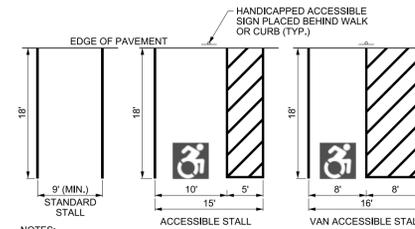
**SUNOCO CANOPY LAYOUT**  
NOT TO SCALE



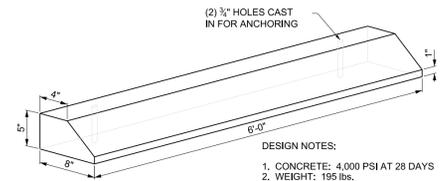
**EXTRUDED CONCRETE LIP CURB**  
NOT TO SCALE



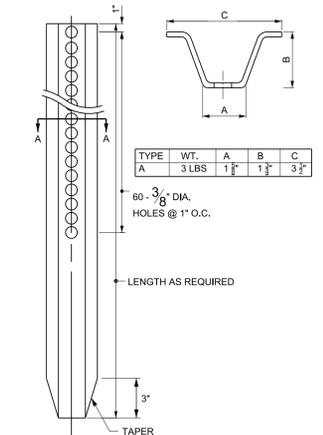
**PROFILE**  
**CONCRETE SIDEWALK**  
NOT TO SCALE



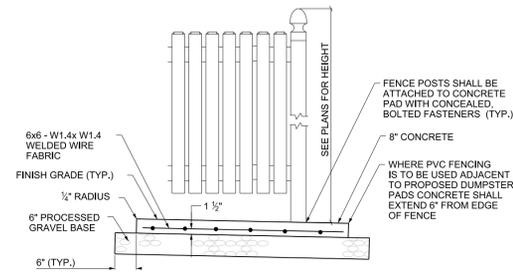
**PARKING STALL DETAILS**  
NOT TO SCALE



**CONCRETE WHEEL STOP**  
NOT TO SCALE



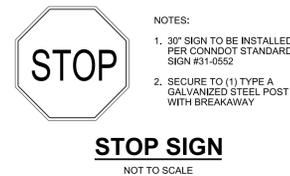
**TYPICAL METAL SIGN POST**  
NOT TO SCALE



**DUMPSTER PAD & PVC FENCE**  
NOT TO SCALE



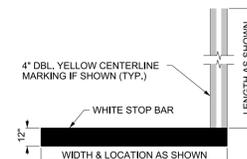
**DO NOT ENTER SIGN**  
NOT TO SCALE



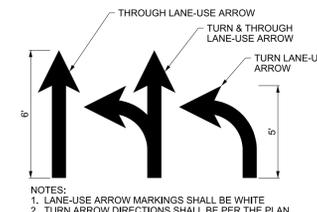
**STOP SIGN**  
NOT TO SCALE



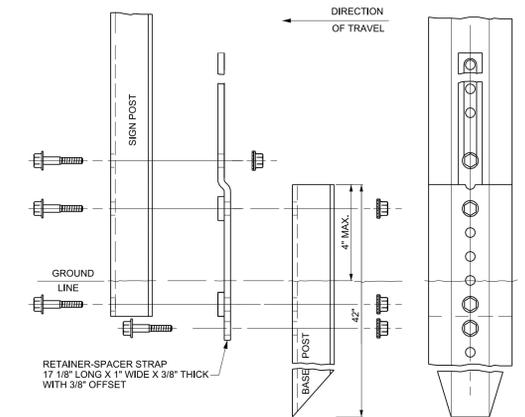
**HANDICAPPED PARKING**  
NOT TO SCALE



**STOP BAR**  
NOT TO SCALE



**TRAFFIC ARROWS**  
NOT TO SCALE



**TYPICAL BREAKAWAY INSTALLATION**  
NOT TO SCALE

SCALE: AS SHOWN  
PROJECT NUMBER:  
00082 - 00001



**CONTACT INFORMATION**  
YANTIC RIVER CONSULTANTS, LLC  
191 NORWICH AVENUE  
LEBANON, CONN 06249  
Phone: (860) 367-7264  
Email: yanticriver@gmail.com  
Web: www.yanticriverconsultants.com

PROFESSIONAL SEAL

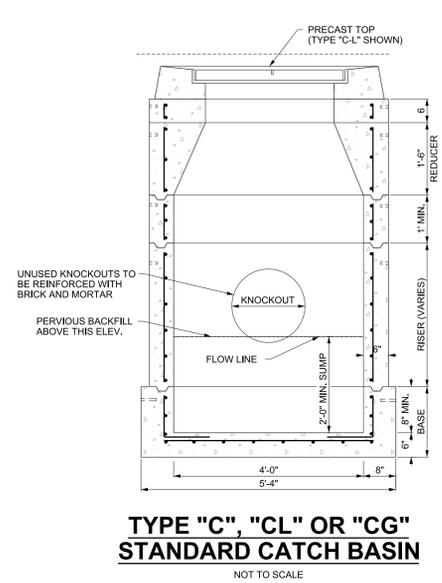
**GAS STATION & CONVENIENCE STORE  
SITE DEVELOPMENT PLANS**  
PREPARED FOR  
DIYALA, LLC  
**DETAILS**

REVISION SUMMARY	
DATE	DESCRIPTION

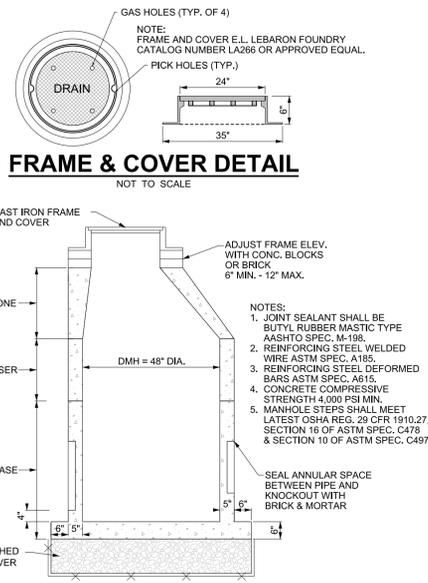
SHEET  
6 OF 7  
DATE  
3/20/20  
REVISED

4 HARTFORD AVENUE

NEWINGTON, CT

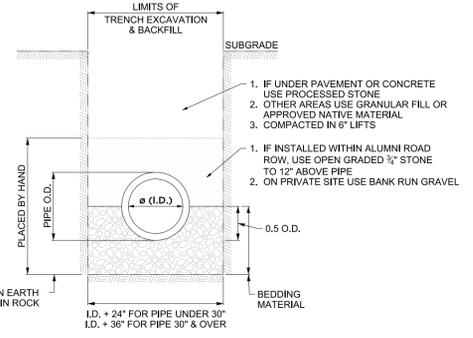


**TYPE "C", "CL" OR "CG" STANDARD CATCH BASIN**  
NOT TO SCALE

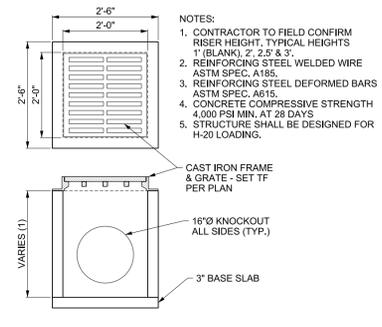


**FRAME & COVER DETAIL**  
NOT TO SCALE

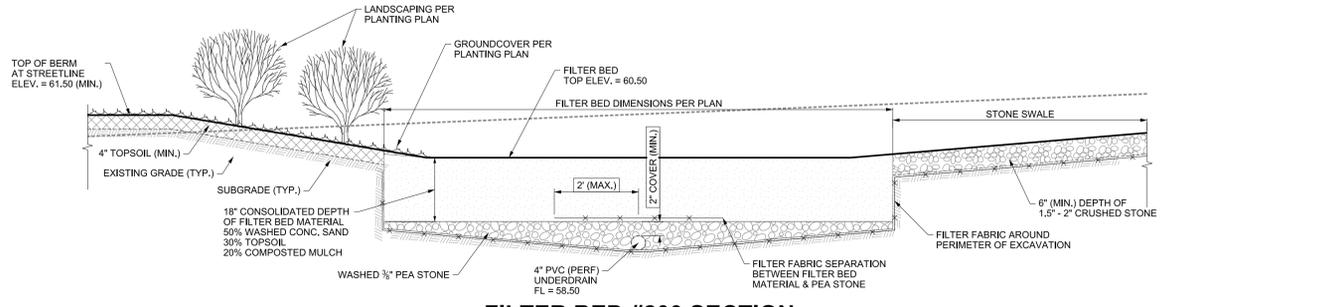
**PRECAST STORM DRAIN MANHOLE**  
NOT TO SCALE



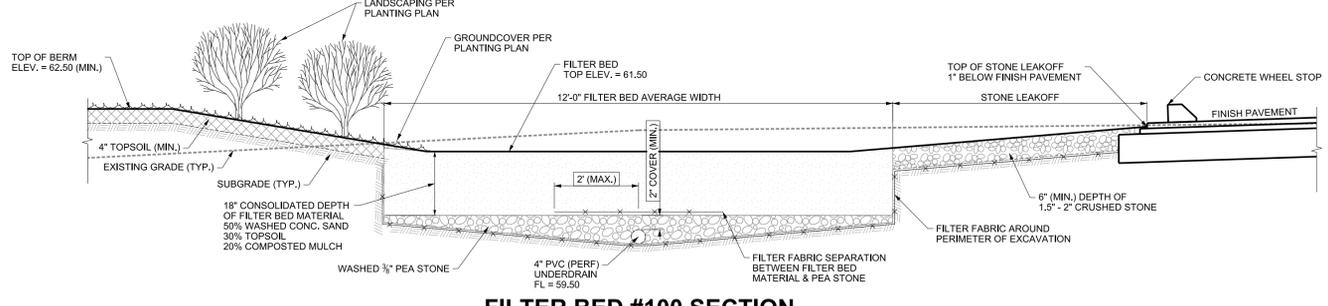
**TRENCHING & BACKFILLING**  
NOT TO SCALE



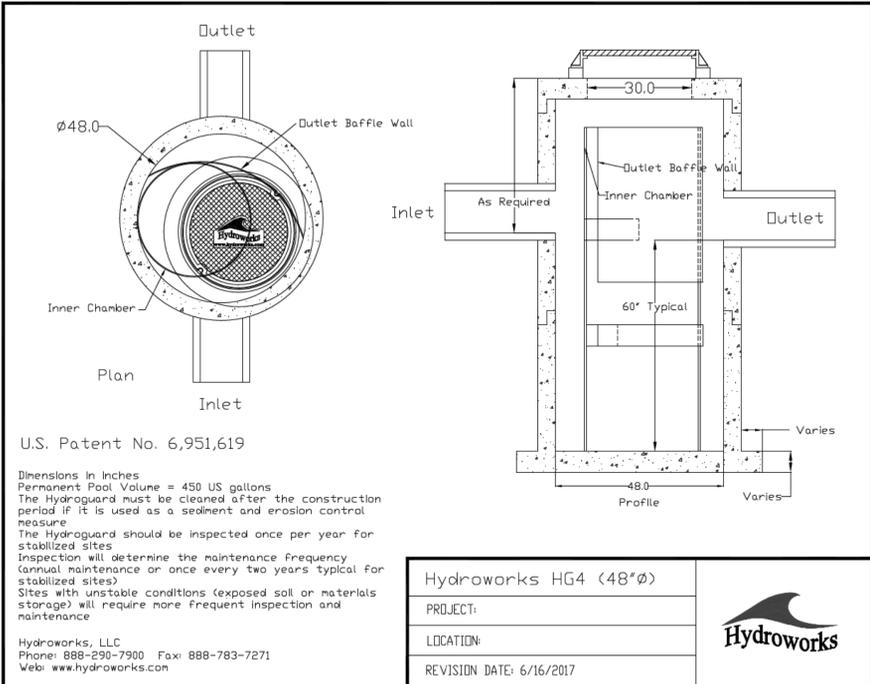
**YARD DRAIN**  
NOT TO SCALE



**FILTER BED #200 SECTION**  
NOT TO SCALE



**FILTER BED #100 SECTION**  
NOT TO SCALE

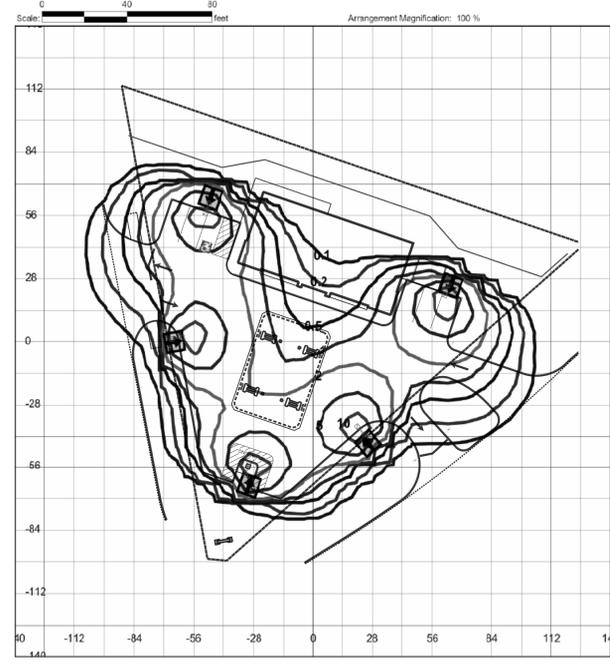


**HYDROWORKS HG4 TREATMENT STRUCTURE**  
SCALE: NOT TO SCALE

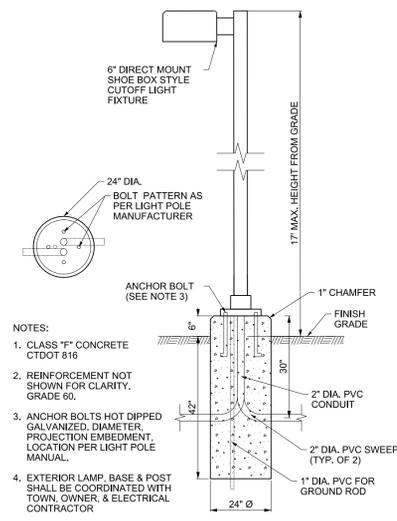


**Date:** 31 Mar 2020  
**Title:** Gas Station & Convenience Store  
**Desc:** 4 Hartford Avenue, Newington, CT  
Lighting Layout for Local Application Submission  
**For:** Diyala, LLC  
**By:** Yantic River Consultants, LLC

**Luminaire**  
IES Filename: rab02138mod40.ies  
**Description:** ALED4T78N - RWLED4T78N - RWLED4T78FN - WPLED4T78N (TYPE IV)  
CAST IRON METAL HOUSING, 6 CIRCUIT BOARD'S EACH WITH 1  
**Light Loss Factor:** 1.00  
**Number of Lamps:** 6  
**Lamp Lumens:** -1 lms  
**Luminaire Watts:** 78 W



**SITE AREA LIGHTING PLAN**  
SCALE: 1" = 40'



**LIGHT POLE & BASE**  
NOT TO SCALE

SCALE: AS SHOWN  
PROJECT NUMBER:  
00082 - 00001



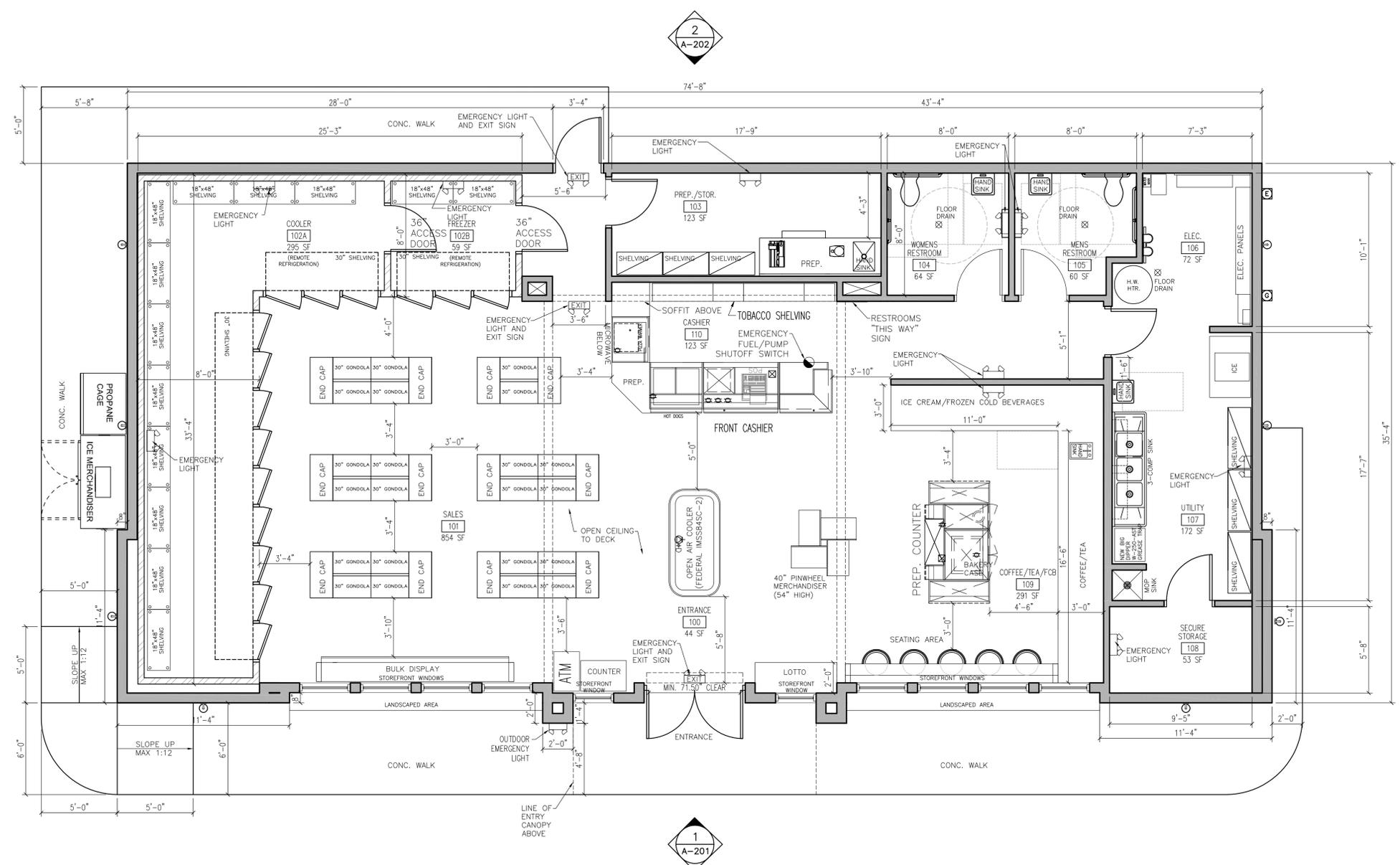
**CONTACT INFORMATION**  
YANTIC RIVER CONSULTANTS, LLC  
191 NORWICH AVENUE  
LEBANON, CONN 06249  
Phone: (860) 367-7264  
Email: yanticriver@gmail.com  
Web: www.yanticriverconsultants.com

PROFESSIONAL SEAL

**GAS STATION & CONVENIENCE STORE SITE DEVELOPMENT PLANS**  
PREPARED FOR  
DIYALA, LLC  
**DETAILS**  
4 HARTFORD AVENUE  
NEWINGTON, CT

REVISION SUMMARY	
DATE	DESCRIPTION

SHEET  
6 OF 7  
DATE  
3/20/20  
REVISED

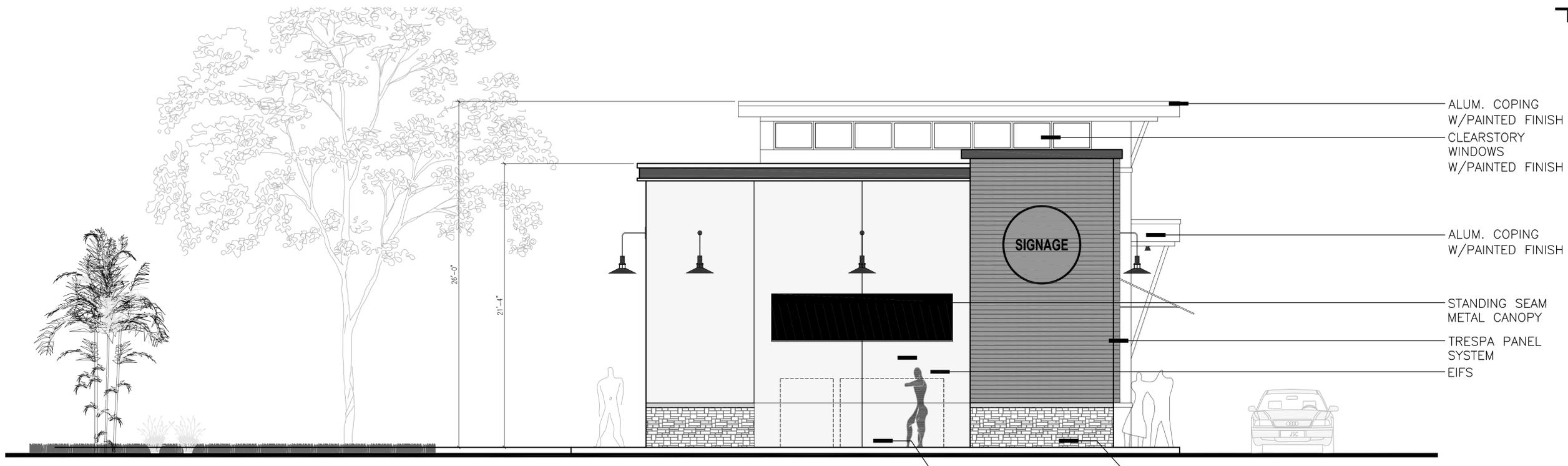


**1** PROPOSED CONCEPTUAL FLOOR PLAN  
SCALE: 1/4" = 1'-0"

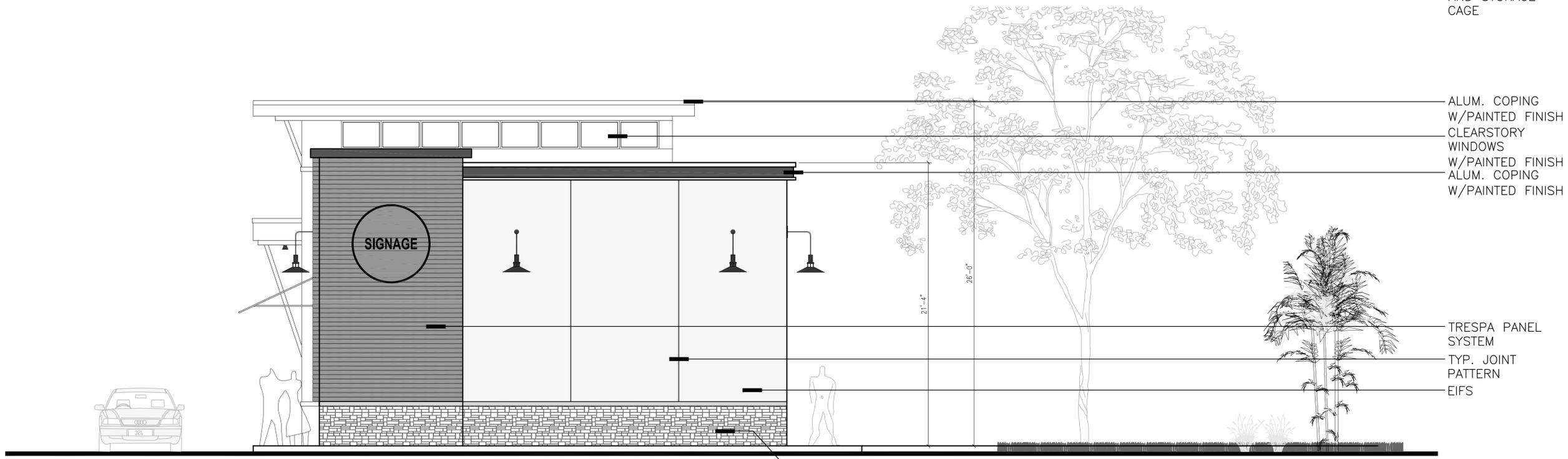
DRAWN: RK	CHECKED: RK	
NOTES:		
NO.	REVISION/ISSUE	DATE
SEALS:		
ARCHITECT:		
<b>RK</b> Ramiz Khoda Consulting & Design, LLC 10475 GANDY BLVD N - #2420 SAINT PETERSBURG, FL 33702 TEL.: (860) 880-1786		
OWNER:		
NEWINGTON GAS DISTRIBUTORS, LLC c/o PATRICIA CURRY 19 SACHEM CIRCLE MERIDEN, CT 06450		
APPLICANT:		
DIYALA LLC c/o JAWA SHALO 67 EAST MAIN STREET PLAINVILLE, CT, 06062 (860) 747-3481		
PROJECT:		
<b>PROPOSED CONVENIENCE STORE AND FUELING STATION</b>		
4 HARTFORD AVENUE NEWINGTON, CT 06111		
DRAWING TITLE:		
<b>PROPOSED CONCEPTUAL FLOOR PLAN</b>		
RKCD PROJECT #:	DRAWING NO.	
20-02	A-101	
ISSUE DATE:	SCALE:	
3/13/2020	AS NOTED	

THIS DRAWING IS TO BE UTILIZED FOR CONCEPT PLANNING PURPOSES ONLY AND IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. THIS DRAWING IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.





**1** PROPOSED LEFT ELEVATION  
SCALE: 1/4" = 1'-0"



**2** PROPOSED RIGHT ELEVATION  
SCALE: 1/4" = 1'-0"

- ALUM. COPING W/PAINTED FINISH
- CLEARSTORY WINDOWS W/PAINTED FINISH
- ALUM. COPING W/PAINTED FINISH
- STANDING SEAM METAL CANOPY
- TRESPA PANEL SYSTEM
- EIFS
- THIN STONE VENEER: BORAL PRO-FIT ALPINE LEDGESTONE COLOR: TBD
- ICE MERCHANDISER AND STORAGE CAGE

- ALUM. COPING W/PAINTED FINISH
- CLEARSTORY WINDOWS W/PAINTED FINISH
- ALUM. COPING W/PAINTED FINISH
- TRESPA PANEL SYSTEM
- TYP. JOINT PATTERN
- EIFS
- THIN STONE VENEER: BORAL PRO-FIT ALPINE LEDGESTONE COLOR: TBD

THIS DRAWING IS TO BE UTILIZED FOR CONCEPT PLANNING PURPOSES ONLY AND IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. THIS DRAWING IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

DRAWN: RK	CHECKED: RK												
NOTES:													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">NO.</td> <td style="width: 40%;">REVISION/ISSUE</td> <td style="width: 30%;">DATE</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		NO.	REVISION/ISSUE	DATE									
NO.	REVISION/ISSUE	DATE											
SEALS:													
ARCHITECT: <div style="text-align: center;">   <b>RK</b>            Ramiz Khoda            Consulting &amp; Design, LLC            10475 GANDY BLVD N - #2420            SAINT PETERSBURG, FL 33702            TEL.: (860) 880-1786         </div>													
OWNER:  NEWINGTON GAS DISTRIBUTORS, LLC c/o PATRICIA CURRY 19 SACHEM CIRCLE MERIDEN, CT 06450													
APPLICANT:  DIYALA LLC c/o JAWA SHALO 67 EAST MAIN STREET PLAINVILLE, CT, 06062 (860) 747-3481													
PROJECT:  <b>PROPOSED CONVENIENCE STORE AND FUELING STATION</b>  4 HARTFORD AVENUE NEWINGTON, CT 06111													
DRAWING TITLE:  <b>PROPOSED CONCEPTUAL ELEVATIONS</b>													
RKCD PROJECT #: 20-02	DRAWING NO. <b>A-202</b>												
ISSUE DATE: 3/13/2019													
SCALE: AS NOTED													



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: June 2, 2020  
Subject: Petition #18-20: Fireworks Tent Sale (Section 3.23.1.B) at 3164 Berlin Turnpike, Phantom Fireworks Eastern Region LLC, applicant; Newington VF LLC, owner; Joshua Nielsen, 59 East Street, Vernon CT, contact.

---

### **Description of Petition #18-20:**

Phantom Fireworks would like permission from TPZ to sell fireworks from a tent in the Staples parking lot at 3164 Berlin Turnpike for the Fourth of July. Section 3.23.1 of the zoning regulations states that:

“Products and equipment intended for sale may be displayed in front of the principal building, but not in the required frontyard setback area, when approved by the Commission.”

This is the zoning regulation that we use to approve or deny temporary vendors like Phantom Fireworks who wish to operate in Newington.

### **Staff Comments:**

This is the same location as last year. The Fire Marshal has reviewed the location and has no objections.

A draft suggested motion is attached.

cc:  
file

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

**DRAFT SUGGESTED MOTION**  
*Outdoor Fireworks Sales at 3164 Berlin Turnpike*

June 10, 2020

Petition #18-20:

Fireworks Tent Sale (Section 3.23.1.B) at 3164 Berlin Turnpike.  
 Phantom Fireworks Eastern Region LLC, applicant; Newington VF LLC, owner  
 Joshua Nielsen, 59 East Street, Vernon CT, contact.

“I move to approve Petition #18-20: Fireworks Tent Sale (Section 3.23.1.B) at  
 3164 Berlin Turnpike. Phantom Fireworks Eastern Region LLC, applicant;  
 Newington VF LLC, owner; Joshua Nielsen, 59 East Street, Vernon CT,  
 contact.”

Conditions:

- 1.
- 2.

Move/ Second										
	Pane	Fox	Woods	Sobieski	Claffey	Havens	Lenares	Haggerty	Gill	Braverman
YEA										
NAY										



TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM

LOCATION OF PROPERTY: 3164 Berlin Tpke ZONE: \_\_\_\_\_

APPLICANT: Phantom Fireworks Eastern Region LLC TELEPHONE: 401-500-1123

ADDRESS: 2445 Belmont Ave. Youngstown, OH 44505 EMAIL: JNielsen@fireworks.com

CONTACT PERSON: Joshua Nielsen TELEPHONE: 401-500-1123

ADDRESS: 59 East St. Vernon, CT 06066 EMAIL: JNielsen@fireworks.com

OWNER OF RECORD: \_\_\_\_\_

**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 Permit per Section \_\_\_\_\_ 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): Erect a 20'x30' tent for the sale of CT legal Fountains and Sparklers with sales dated of June 24th, 2020 - July 4th, 2020

**SIGNATURE:**

 APPLICANT	5-22-2020 DATE	<u>Lease Agreement Attached</u> 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).**



NEWINGTON, CT

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: June 3, 2020  
Subject: **Petition #16-20: Special Permit (Sec. 6.11: Service, Sale, Repair, Rental or Storage of Motor Vehicles) for a Gas Station/Convenience Store at 4 Hartford Avenue. Diyala LLC, applicant; Newington Gas Distributors LLC, owner; Jawa Shalo, 3 Bucks Crossing, Cromwell CT, contact.**

---

### **Description of Petition #16-20:**

This is an application for a special permit to operate a gas station/convenience store at 4 Hartford Avenue. There was a gas station here many years ago which some Commissioners may know was the subject of a long-standing environmental remediation operation.

### **Staff Comments:**

There were no derogatory issues raised at the public hearing. I have no objection to approving this request, provided the site plan is acceptable.

cc:  
Applicant  
File

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

**DRAFT SUGGESTED MOTION**  
***Special Permit for Gas Station/Convenience Store at 4 Hartford Avenue***

June 10, 2020

Petition #16-20:

Special Permit (Sec. 6.11: Service, Sale, Repair, Rental or Storage of Motor Vehicles) for a Gas Station/Convenience Store at 4 Hartford Avenue.

Diyala LLC, applicant; Newington Gas Distributors LLC, owner;

Jawa Shalo, 3 Bucks Crossing, Cromwell CT, contact.

“I move to approve [with conditions] Petition #16-20: Special Permit (Sec. 6.11: Service, Sale, Repair, Rental or Storage of Motor Vehicles) for a Gas Station/Convenience Store at 4 Hartford Avenue. Diyala LLC, applicant; Newington Gas Distributors LLC, owner; Jawa Shalo, 3 Bucks Crossing, Cromwell CT, contact.”

Conditions:

- 1.
- 2.
- 3.

Move/ Second										
	Pane	Fox	Woods	Sobieski	Claffey	Havens	Lenares	Haggerty	Gill	Braverman
YEA										
NAY										

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: June 3, 2020  
**Subject:** Petition #06-20: Subdivision Amendment (Sec. 3.7: Drainage and Storm Water Improvements) regarding LID in Residential Subdivisions. Newington TPZ, applicant.

---

At the public hearing on May 27, 2020 the consensus was to eliminate the LID (“low impact development”) stormwater regulations completely, rather than just amend them.

A motion to withdraw the application would be in order. See attached draft suggested motion.

### DRAFT SUGGESTED MOTION

#### *Subdivision Text Amendment regarding Low Impact Development*

June 10, 2020

#### Petition #06-20

Subdivision Amendment (Sec. 3.7: Drainage and Storm Water Improvements) regarding LID in Residential Subdivisions.  
Newington TPZ, applicant.

“I move to withdraw Petition #06-20: Subdivision Amendment (Sec. 3.7: Drainage and Storm Water Improvements) regarding LID in Residential Subdivisions. Newington TPZ, applicant.”

Move/ Second										
	Pane	Fox	Woods	Sobieski	Claffey	Havens	Lenares	Haggerty	Gill	Braverman
YEA										
NAY										

cc:  
Town Engineer  
File

**DRAFT SUGGESTED MOTION**  
*Zoning Text Amendment regarding Low Impact Development*

June 10, 2020

Petition #09-20

Zoning Text Amendment (Sec. 6.15) regarding LID Stormwater Management at Existing Developments.

Newington TPZ, applicant.

“I move to withdraw Petition #09-20: Zoning Text Amendment (Sec. 6.15) regarding LID Stormwater Management at Existing Developments.  
Newington TPZ, applicant.”

Move/ Second										
	Pane	Fox	Woods	Sobieski	Claffey	Havens	Lenares	Haggerty	Gill	Braverman
YEA										
NAY										

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: June 3, 2020  
Subject: **Petition #09-20: Zoning Text Amendment (Sec. 6.15) regarding LID Stormwater Management at Existing Developments. Newington TPZ, applicant.**

---

At the public hearing on May 27, 2020 the consensus was to eliminate the LID (“low impact development”) stormwater regulations completely, rather than just amend them.

A motion to withdraw the application would be in order. See attached draft suggested motion.

cc:  
Town Engineer  
File

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

**DRAFT SUGGESTED MOTION**  
***Zoning Text Amendment regarding Low Impact Development***

June 10, 2020

Petition #09-20

Zoning Text Amendment (Sec. 6.15) regarding LID Stormwater Management at Existing Developments.

Newington TPZ, applicant.

“I move to withdraw Petition #09-20: Zoning Text Amendment (Sec. 6.15) regarding LID Stormwater Management at Existing Developments. Newington TPZ, applicant.”

Move/ Second										
	Pane	Fox	Woods	Sobieski	Claffey	Havens	Lenares	Haggerty	Gill	Braverman
YEA										
NAY										