

TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION

OCTOBER 14, 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>

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. Use The Zoom "Raise Hand" Function)
- V. ZONING ENFORCEMENT OFFICER REPORT

Documents:

[9-30-20 ZEO REPORT - SEPTEMBER.PDF](#)

- VI. REMARKS BY COMMISSIONERS
- VII. APPROVAL OF MINUTES

Documents:

[TPZ MINUTES 23SEPT2020 REGULAR.PDF](#)

VIII. PUBLIC HEARING

- A. Petition #30-20: Zone Change From B, I, R-7 And R-12 To PD At 33, 39 And 45 Spring Street; 96, 108, 112, 116, 126, 120 And 129 Willard Avenue; And 230 West Hill Road. Gibbs Oil Company, Applicant; Kenneth R. Slater Jr., Esq., 225 Asylum Street, Hartford CT, Contact.

Documents:

[TP MEMO RE GIBBS ZC 23SEP2020.PDF](#)
[APPLICATION 30-20 WILLARD AVE ZC.PDF](#)
[NARRATIVE \(1\).PDF](#)
[ZONE CHANGE MAP AND LOCATION MAP 30-20.PDF](#)
[NEWINGTON JUNCTION GENERAL CONCEPT PLAN.PDF](#)
[PHILLIPS 66 DUNKIN DONUTS SITE PLAN.PDF](#)
[PHILLIPS 66 DUNKIN DONUTS ELEVATIONS 1.PDF](#)
[PHILLIPS 66 DUNKIN DONUTS ELEVATIONS 2.PDF](#)
[PHILLIPS 66 DUNKIN DONUTS SIGNAGE AND GRAPHICS PLAN.PDF](#)

IX. NEW BUSINESS

- A. Petition #33-20: Referral Of Proposed Conservation Commission (Inland Wetlands Agency) Regulation Amendment. Newington Conservation Commission, Applicant.

Documents:

[TP MEMO RE IWA 14OCT2020.PDF](#)
[SUBMITTAL EMAIL FROM EHINCKLEY 21SEP2020.PDF](#)
[EXCERPTS NEWINGTON_IW_REGS_VERNAL POOLS_DRAFT.PDF](#)

X. OLD BUSINESS

- A. Petition #26-18: Site Plan Approval At 550 Cedar Street ("Cedar Pointe") In Accordance With C.G.S. Sec. 8-30g. Dakota Partners Inc., Applicant; Stop & Shop Supermarket Company LLC, Owner; Timothy S. Hollister, One Constitution Plaza, Hartford CT, Contact.

Documents:

[TP MEMO DAKOTA SIDEWALK 14OCT2020.PDF](#)
[SIDEWALK PLAN EXCERPTS 02JUN2020.PDF](#)
[WALKWAY TO ALUMNI.PDF](#)

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

- A. Petition #35-20: Zoning Text Amendment (Section 3.11: Special Permits Allowed In B Business Zone) To Allow Apartments. Wieslaw Kaczynski, 26 Amidon Avenue, Newington CT, Owner/Applicant/Contact.

Documents:

[TP MEMO RE B ZONE TA 14OCT2020.PDF](#)
[PETITION 35-20 B ZONE TA.PDF](#)
[BUSINESS ZONES ON NEW BRITAIN AVENUE.PDF](#)

XII. TOWN PLANNER REPORT

Documents:

[TOWN PLANNER REPORT FOR 14OCT2020.PDF](#)
[DRAFT FEE-IN-LIEU OF SIDEWALK TA.PDF](#)
[PEDESTRIAN PLAN FROM POCD.PDF](#)

XIII. COMMUNICATIONS

- A. Draft "Affordable Housing Plan"

Documents:

[TP MEMO TO TPZ ON DRAFT AHP 14OCT2020.PDF](#)
[REVISED DRAFT 092320 RFS.PDF](#)

- XIV. PUBLIC PARTICIPATION (For Items Not Listed On The Agenda; Speakers Limited To 2 Minutes. Use The Zoom "Raise Hand" Function)

XV. REMARKS BY COMMISSIONERS

XVI. CLOSING REMARKS BY THE CHAIRMAN

XVII. ADJOURN

Zoning Enforcement Officer Report

Printed: Thursday, October 1, 2020
for the Month of SEPTEMBER 2020

72 LEDGECREST DRIVE

09/10/2020 ANONYMOUS UNREGISTERED VEHICLE

Actions and Inspections

Status

9 /10/2020 COMPLAINT RECEIVED
9 /11/2020 PLAN FOR
COMPLIANCE: OWNER
AGREES TO
REGISTER OR
REMOVE VEHICLE IN 2
WEEKS OR LESS.
9 /11/2020 INSPECTION:
VIOLATION

1597 MAIN STREET

09/03/2020 ANONYMOUS VEHICLE PARKED ON LAWN

Actions and Inspections

Status

9 /3 /2020 FOLLOW-UP
MESSAGE FORM
OWNER: VEHICLE
WILL BE PARKED ON
PAVEMENT.
9 /3 /2020 KNOCKED AT DOOR,
NO ANSWER. LEFT
BUSINESS CARD TO
DISCUSS.
9 /3 /2020 INSPECTION:
VIOLATION
9 /3 /2020 COMPLAINT RECEIVED

Will Monitor

1615 MAIN STREET

09/03/2020 ANONYMOUS VEHICLE PARKED ON LAWN

Actions and Inspections

Status

9 /3 /2020 INSPECTION: NO
VIOLATIONS.
9 /3 /2020 COMPLAINT RECEIVED

Will Monitor

60 WALNUT STREET

09/02/2020 ANONYMOUS ROOSTERS IN SINGLE-FAMILY ZONE.

Actions and Inspections

Status

9 /2 /2020 RECEIVED
ANONYMOUS
WRITTEN COMPLAINT.
9 /8 /2020 PLAN FOR
COMPLIANCE: WILL BE
TAKING ROOSTERS
TO A NEARBY FARM
WITHIN 3 WEEKS.

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

September 23, 2020

Chairman Domenic Pane called the September 23, 2020 Regular Zoom Meeting to order at 7:00 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Chairman Domenic Pane
Commissioner Michael Fox
Commissioner Garrett Havens (7:20)
Commissioner David Lenares
Commissioner Stanely Sobieski
Commissioner Stephen Woods
Commissioner Thomas Gill-A
Commissioner Bryan Haggarty-A

Commissioners Absent

Commissioner Anthony Claffey
Commissioner Hyman Braverman-A

Staff Present

Craig Minor, Town Planner
Andrew Armstrong, Asst. Town Planner/ZEO

Commissioner Haggerty was seated for Commissioner Havens and Commissioner Gill for Commissioner Claffey.

III. APPROVAL OF AGENDA

Chairman Pane: I believe we are going to add something, an 8-24 Referral for the Proposed Sale of the former National Welding property. Would that fall under New Business as C?

Craig Minor: Mr. Chairman, that was added to the amended agenda that was distributed on Monday, so not the agenda that was mailed to you, or that you received in hand, but it has already been added under New Business, Item B. Petition 33-20 Section 8-24 Referral of Proposed Sale of former National Welding Property at 690 Cedar Street.

I do have one deletion Mr. Chairman, the public hearing for the zone change, Petition 30-20, the zone change on Willard Avenue, the applicants did not post the signs in a timely manner, so I discussed this with the Town Attorney and he agreed that it should be postponed until the following meeting.

RECEIVED FOR RECORD
NEWINGTON, CT
2020 SEP 28 AM 11:29
Domenic D. Pane
Town Clerk

Chairman Pane: Okay. Very good.

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

None

V. **ZONING ENFORCEMENT OFFICER REPORT**

Andrew Armstrong: Good evening everyone. We are reviewing the August 2020 Zoning Officer Report tonight. Are there any questions on that?

Chairman Pane: Do the Commissioners have any questions? Andrew, it didn't seem like there was a lot in August. Is there any special reason for that?

Andrew Armstrong: Not particularly, no.

Chairman Pane: Okay. If there are no questions from the Commissioners, I want to thank you Andrew.

VI. **REMARKS BY COMMISSIONERS**

None

VII. **APPROVAL OF MINUTES**

Commissioner Fox moved to approve the minutes of the August 26, 2020 and the September 9, 2020 Regular Meetings. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with seven voting AYE.

VIII. **PUBLIC HEARING:**

Petition 29-20 Special Permit (Sec. 6.2.5) for Free Standing Sign at 395 Willard Avenue Colchester Properties LLC, Owner, Sign Life Inc., Applicant, Mark DeTulio, 6 Corporate Drive, North Haven, CT, Contact.

Chairman Pane: Is the applicant available. This is for a new sign for the learning center over on Willard Avenue.

Craig Minor: Mr. Chairman, I saw his name as someone who is in the room, Mr. DeTulio.

James Krupienski: I have sent a request to unmute, but have no response yet.

Chairman Pane: Do you want to start off Craig with a small report?

Craig Minor: Yes, this is a conventional free standing sign, and under the Newington Zoning Regulations free standing signs require a special permit from TPZ which requires a public hearing. This is for that new commercial day care building that was approved by TPZ a number of months ago that is under construction. I'm sure you have all seen it on Willard Avenue. Now the operators of the day care would like permission to put up a pedestal sign at the entrance to the new building.

Chairman Pane: It's a very reasonable request. Is the applicant available to speak now?

James Krupinski: Still not showing, I'll attempt again.

Chairman Pane: Craig, the location has been checked and everything?

Craig Minor: Yes Mr. Chairman, and the size of the sign is within the requirements.

Mark DeTulio: This is Mark from Sign-Lite, I just got on. Sorry, tried to get on with my computer but I'm on with my phone now.

Chairman Pane: No problem, if you could explain a little bit about what you are doing and then we'll go to the public?

Mark DeTulio: Sure. What we are looking to do here at 395 Willard Avenue is a free standing, non-illuminated sign. The sign structure is a masonry concrete, actually cinderblock based with a concrete, the upper portion, which is the sign band is kind of a drivet type of stucco finish, very similar to the building façade material, and we are proposing non-illuminated 3/8" thick acrylic letter forms that are of the design that you see here. They will be on the sign band area of this free standing stone base and that is the type of sign that the Learning Center has at many of their other locations throughout Connecticut and pretty much the United States, but that is the free standing sign type that they are looking to get at this location.

Chairman Pane: Is it both a monument sign and a free standing too?

Mark De Tulio: No, it's only one sign. Going by two different names, but just one sign.

Chairman Pane: Okay, very good. I've noticed the base, and it's very nice that it all matches the building, so I think that is going to be a real plus there. Is there anything else that you would like to say?

Mark DeTulio: No, that's about it. The masonry work is done by others. I'm the contractor installing the signs for A and M Sign Company that hired us to get permits and install the signs, but no, it's really cut and dried. That is what they are looking to get at this location.

Chairman Pane: Okay Mark, I understand. Are there any questions from the Commissioners to the applicant?

Commissioner Gill: Is there any possibility of getting addresses affixed to this signage?

Mark DeTulio: Yes, absolutely. It can go in the brick area down below the sign itself. We can put the 395 numbers down below that. As a matter of fact, that has been done in other locations. We just did one in Trumbull, there is another one that we did in Glastonbury that has the address down below, so we certainly do that very easily.

Chairman Pane: Any other questions from the Commissioners? Hearing nothing, I will open it up to the public. Anyone wishing to speak in favor of the application? Is there anyone that would like to speak against it?

If the Commissioners don't have a problem, I think that we should close this petition and move it to Old Business for action tonight.

Commissioner Woods moved Petition 29-20 be closed and moved to Old Business for action tonight. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with seven voting YEA.

Chairman Pane: We will be moving this over to Old Business Mark, and taking care of it tonight for you.

Mark DeTulio: Thank you very much, I appreciate that.

Chairman Pane: Thank you Mark.

B. Petition 30-20: Zone Change from B, I, R-7 and R-12 to PD at 33, 39, and 45 Spring Street, 96, 108, 112, 116, 126, 120 and 129 Willard Avenue; and 230 West Hill Road. Gibbs Oil Company, applicant; Kenneth R. Slater Jr., Esq. 2225 Asylum Street, Hartford, CT Contact.

Postponed.

Chairman Pane: Before I go on, I see Commissioner Havens is on now we can make a note in the minutes that a permanent member, Commissioner Havens in on, and will sit permanently now and Commissioner Haggerty will be the alternate moving forward for the meeting.

IX. NEW BUSINESS

A. Petition 31-20 Site Plan Modification at 100 Milk Lane, Saputo Dairy Foods USA, LLC, Applicant, Catamount Newington LLC. Owner, Scott Manlove, 100 Milk Lane, Newington CT. Contact.

Chairman Pane: Is the applicant here?

Scott Manlove: Yes.

Chairman Pane: Hi Scott, if you could tell us about this, it looks like you are putting in some new equipment.

Scott Manlove: Yes, that is correct. We are going to be installing a new production line at the facility and part of that activity means we have to make some changes to our current milk

receiving area, and then we are going to be putting in some additional walls to create some new rooms, clean rooms, for this new production.

Chairman Pane: Do any of the Commissioners have any questions? Craig, would you like to give us a report on this?

Craig Minor: Yes, I have reviewed the plans, and as you saw, because you all got a copy of them in your packet, these are additions to the back of the existing building so there is no impact on the existing impervious and will not have an impact on traffic to this site. I gave a copy of the plans to the Town Engineer last week, he hasn't had a chance to review it thoroughly, but as I said, there is no additional impervious so there is no impact on run off which is the usual issue that the Town Engineer is usually concerned about, so I don't see any reason not to proceed with this application.

Chairman Pane: Thank you very much Craig. Any of the Commissioners have any questions? I think this is a very small modification to the site plan for their business and there should be no reason why we can't move this forward. I would suggest that we close this and move this to Old Business for action tonight.

Commissioner Fox moved to close Petition 31-20 and move it to Old Business for action tonight. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with seven voting YEA.

Chairman Pane: We will take this up under Old Business. Thank you very much.

Scott Manlove: Thank you.

Craig Minor: Mr. Chairman, we have the 8-24 to discuss.

Chairman Pane: Petition 33-20 an 8-24 Referral of the proposed sale of the former National Welding property at 690 Cedar Street, Town Council, owner/applicant. Go ahead Craig if you want to start it off.

Craig Minor: As everyone knows, this is the property that the Town has owned for a number of years, the town demolished the old building a while ago, and substantially we remediated the site and removed a lot of contaminated soil. They have been looking for a buyer for quite a while and have found an appropriate buyer, a developer out of state, and what he is proposing to do is to build a market rate apartment building of mostly studio and one bedroom apartments, there might be a couple of twos, but mostly studio and ones, which is certainly something that this town needs. It will be right next to the CTfastrack station so probably most of the people living in this apartment building will be people who will take advantage of CTfastrack to get to work in Hartford, New Britain and points in between.

I prepared a draft motion to approve which indicated a number of ways of how this proposal complies with the new Plan of Development so if you could flip to the draft motion under Old

Business, there are three specific aspects of the Plan of Development that I found that relate to this sale. The first one is that the sale of 690 Cedar Street is a land use strategy dated on page 50 of the new Plan of Development, and “it will continue to promote appropriate development of the National Welding site now owned by the Town.”

The second finding that I recommend that the Commission reach is that the proposed use of the property is market rate apartments, primarily studio and one bedroom units. This is accordance with land use strategy and will promote the following residential development goal indicated on page 59 of the new POCD, “provide housing options for a variety of household types, sizes, ages, income groups within safe and stable neighborhoods.”

The third point that I would like to make, a finding that I would like the Commission to reach is that the proposed use is consistent with the “overall housing diversification” on page 64 of the new POCD, namely areas in Newington which maybe best located to assimilate housing options within the community may include areas which are walkable to transit stations, including the Cedar Street Fastrack station.

Mr. Chairman, I believe the Town Manger is present if the Commissioners have any questions for him of the developer.

Chairman Pane: Thank you Craig very much. I think that you did a very good job on this draft motion, and it’s been a long time that this National Welding property has been sitting there, and I definitely think this is an asset for us to move this forward as an 8-24. I’ll open it up for questions from the Commissioners, does anyone have any questions?

Commissioner Woods: I don’t have a question, just a statement, Mr. Chairman. I applaud the Town Manager as well as the Council for moving this forward, it’s been a long time coming. It was a big leap for the Town to take on this property, probably close to ten years ago now, and it’s finally, we’re going to turn it back into, if I remember correctly, it was one of the top ten tax payers for a long, long time when it was National Welding. At least it will be back on the tax roles, I’m very happy to see this and I’m very happy to see that we are finally getting some housing along the busway. I think that is just a wonderful thing.

Chairman Pane: I agree with you Commissioner Woods. Thank you for your comments. Any other comments from the Commissioners, or questions? Hearing none, I don’t see why we shouldn’t be able to move this to Old Business for action for tonight.

Commissioner Fox moved Petition 33-20 8-24 Sale of Property at 690 Cedar Street to Old Business for action tonight. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with seven voting YEA.

- A. Review “Commercial Vehicles in Residential Zones” regulation (Sec. 3.22.1.C) and “Use of Residence for Personal Business” and “Home Occupation and Professional Office” regulations (Sec 3.3.3 and Sec. 3.4.4)

Chairman Pane: I’ll have Craig start us off with a report on where we stand on this.

Craig Minor: For the audience who haven’t been with us the past couple of meetings, this is an issue that TPZ has been working on for the past couple of meetings. The current commercial vehicle regulation is quite wordy and confusing, and so the Commission is trying to streamline it,

improve it, but still preserve the ability for folks to have a commercial vehicle at home, without impacting the residential character of the neighborhood.

So as I said in my memo, I make the following changes to the draft per the comments made by the Commissioners at the September 9th meeting:

- a. Deleted references to maximum weight and maximum cargo area.
- b. Deleted reference to backup alarms.
- c. Deleted the prohibition on dump trucks and wreckers. However, I recommend these vehicles continue to be prohibited by right, but be allowable by special permit. In a dense R-7 or RP neighborhood a driveway can be pretty close to the neighbor's house. Residents should be given the opportunity to raise valid objections.

I didn't get into the Home Business regulations, because we really hadn't talked about that yet.

Chairman Pane: On the Home Business regulations, I think we were all in agreement that we were going to leave that alone. We had no comments on it the last meeting, and I think everyone was satisfied with what we have. I'll open it up to the Commissioners and ask about the Home Business regulation.

Commissioner Woods: I'm satisfied with the Home Business regulation Mr. Chairman.

Chairman Pane: Thank you Commissioner Woods. Is everyone else all right with the Home Business regulation?

Commissioners: All fine.

Chairman Pane: I like the changes that you made Craig on the commercial vehicles. I think that is exactly what everybody talked about at the last meeting. Is there anything else the Commissioners would like to change or discuss on the commercial regulations? One other thing, Craig, does this have to CRCOG?

Craig Minor: Yes.

Chairman Pane: It has to go to CRCOG before we can have a public hearing on it, correct?

Craig Minor: Correct.

Chairman Pane: How long will that take. Two meetings from now which will be the October 21st.

Commissioner Haggerty: I have a question. I see that the vehicles, the backup alarms on the commercial vehicle, that is being taken out. I kind of thought that the pulse of the conversation a couple of weeks ago was that these are a nuisance, especially late at night, or early in the morning. I don't know what anyone else's thoughts on that are.

Chairman Pane: I think the reason that we took it out was, I could be mistaken, but I think the reason we took it out was because there are even small vans with backup alarms and other

vehicles that really aren't commercial vehicles, so what it was, they said any vehicle outfitted with a backup alarm was a commercial and I don't know if that is really necessarily the case. That is the only reason that we took the reference out of the back up alarm.

Commissioner Haggerty: Okay, thank you.

Chairman Pane: Am I correct on that, other Commissioners? How did you.....

Commissioner Woods: I have a couple of things, but Mike had his hand up first, then I would like to go after Mike.

Commissioner Fox: I think by making it a special permit, vehicles that most likely have a backup alarm, kind of takes care of that.

Chairman Pane: That's a good point, that it gives us one bite of the apple one more time. If they come in, and then it gives the opportunity to the neighbors to at least respond to it.

Commissioner Woods: I had an issue with the dump trucks, and again, this is not self serving because while I do own a landscape business, I do not take a truck home, but I think, now a dump truck requires a special exception. I think that is a problem because I think what we are trying to do is to let these little businesses keep a truck in their driveway. Most little businesses are landscape companies, and what do they own? A dump truck. My suggestion, I've got two, one, go back to a weight, if it's over 18,000 pounds then a special exception; and the backup alarms, if we have a commercial vehicle in a residential zone, it needs to have a white noise backup alarm. No where near as offensive. They are required now on most job sites, and they do the job, again, they don't go through your ear drum like.....

Chairman Pane: Is it possible to have, the trucks can be modified with that, correct?

Commissioner Woods: Yes, it's a fifty dollar bill, it's cheap. We have to do it to all of ours now. Most of the newer trucks are coming with it now.

Chairman Pane: Okay, Thank you.

Commissioner Haggerty: Commissioner Woods, what is the magic number with that weight, 18,000 pounds.

Commissioner Woods: The average landscape dump truck right now is 18,000, so it's going to be more like a big six wheeler that has, that hold ten yards of material, or a tri-axle, I believe that should be a permit. I don't believe you should park a tri-axle or a tractor trailer in your yard without coming to us, but the small dump trucks, I think that is what we are trying to do here. The small dump trucks, small pickups. There are businesses who don't warrant any sort of a commercial building to rent, they keep everything in their garage or in their truck or an enclosed trailer, I thought that was what we were trying to do.

Chairman Pane: Yes, and they can't have a second vehicle unless they come into us.

Commissioner Woods: Correct, so you are stopping multiple vehicles. I just think you are going to get inundated with complaints if you strike out dump trucks.

Chairman Pane: The whole purpose of this was to try to clean it up for enforcement and, any other Commissioners have any comments? I think, I agree with Commissioner Woods. I don't have a problem with a small dump truck. If it becomes more than one truck, then they have to come in for a special exception.

Commissioner Sobieski: Commissioner Woods, I have a question. On the light backup that you are referring to, is there anyway, I know that OSHA requires in some areas now, but I was wondering if that could be something that could be put into this regulation. I'm just asking the question, I don't know.

Commissioner Woods: I'm not sure what the question is Commissioner Sobieski.

Commissioner Sobieski: The question is that instead of a back up alarm, could we put the lighting in instead.

Commissioner Woods: OSHA mandates a backup alarm.

Commissioner Sobieski: I realize they require a backup alarm, but I was wondering if we could use this in certain areas, in a residential zone where these vehicles are. That's what I was looking at.

Chairman Pane: I think what Commissioner Woods is getting at is requiring them to, if they are going to have a truck in a residential zone, require them to have the backup alarm that is white noise. Is that correct, Commissioner Woods?

Commissioner Woods: Correct.

Chairman Pane: What that will do is, it still provides the safety of the backup alarm, but it's not as piercing a noise for the residential area. I agree with those changes, I'd like to hear from any other Commissioners so that we can get this corrected and have the Planner send this to CRCOG so we can get this moving along for public hearing. Craig, what do you think about those changes?

Craig Minor: Just one question, one commercial vehicle not exceeding 18,000 pounds, gross vehicle weight?

Commissioner Woods: Correct.

Craig Minor: Okay, thank you.

Commissioner Woods: Again Mr. Chairman, I just want to stress, this is not self serving, everyone knows that I own a landscape business, I am trying to make it a little easier for people who are smaller to earn a living. I don't benefit by this at all.

Chairman Pane: I understand, there are a lot of small, young people that are out there that are just starting businesses, and they have one truck. I remember when I first started, I had one truck, I brought the truck home, and that was it until the business prospered, so I understand completely. It's a working town, and I think that this commercial regulation for vehicles is an improvement over what we had, and an improvement for zoning enforcement moving forward.

Commissioner Woods: Again Mr. Chairman, I think this is another step you are taking, leading us down the path where we are sending out a clear message that we are open for business and we want people in Newington to do business here, and I applaud you for that.

Chairman Pane: Thank you Commissioner Woods. Any other questions from the Commissioners?

Commissioner Gill: As far as the number of commercial vehicles, there are some, well, my instance here is I work for Eversource and we're required now with the pandemic, to bring our vehicles home. So, is there a possibility of maybe writing something in regarding, won't stay this way, but during this pandemic I need to have a second commercial on the property.

Chairman Pane: Okay, completely understand. That would be similar to other utilities that may ask their employees to take their vehicles home, similar to Connecticut Natural Gas, or MDC or possibly people like H.O.Penn and wrecking companies. Craig, do you think we need to change something to do that, or, how do you.....

Craig Minor: Well, no, we've always allowed a home owner to have a second commercial vehicle. They just need to come and ask TPZ for a special permit. We process those usually within two to four weeks at the longest, and in the meantime, the home owner would be allowed to keep it pending approval by TPZ.

Chairman Pane: Okay. Is that, does that answer your question, Commissioner Gill?

Commissioner Gill: Yes, that sounds fine.

Chairman Pane: If there are no other questions, let's move on.

Commissioner Woods: Are we going to move this now back to us after it gets re-written, or is it going to go now to CRCOG? Or is it going to come back one more time?

Craig Minor: What I'd like to do Commissioner Woods, is make the changes that I heard tonight, send a copy of that to the Chairman, for him to take a look at before I send it out to CRCOG to make sure that I captured all of the changes that the Commission was asking for, if that is acceptable?

Commissioner Wood: Okay, thank you. I'm fine with that.

Commissioner Pane: When you send it to me Craig, why don't you send it to everybody and in that way, if somebody has a problem they can also check in with you, and then we will get it off to CRCOG.

Craig Minor: Okay.

Chairman Pane: That way all the Commissioners will have a chance to look at it, just in case, I don't want to miss something. Thank you.

X. OLD BUSINESS

A. Performance Bonds

Craig Minor: I've made some progress since our last meeting, I'll start at the top of the spread sheet. These one, two, three, four, five, six seven, items all under 1978 I asked the Finance Department if they had any more information as to who posted these bonds, and unfortunately, no, they don't. So, and the Foxboro, that's \$12,000, that's a lot of money, so I'm not sure what to suggest we do with these, unless they become part of the general fund.

The next one is ZAG Machine for \$4,000, the owner of ZAG Machine passed away last November, so I spoke to the Town Attorney about this, and he suggested that the money be sent to his widow, and I have located her, but I want to make sure I have the right address, and once I'm sure, we will send the check to her.

This 178 Richard Street, that's another one I asked the Finance Department if they knew anything about, because I don't have any information, I couldn't find anything in either the building department's file, for 178 or the P & Z files. It's only \$320 but I'll continue to try to find the rightful owner of that.

The other three items, the Boyland Development, the Jefferson Court and Mills Construction, we have already started the release process for them, to have the Finance Department to send checks to all of those people.

Chairman Pane: What about the one on the bottom?

Craig Minor: Oh, Moretco, I'm still trying to figure out what that one is.

Chairman Pane: Okay, well if we can't find that one, and we have the 178 Richard, if we don't find that, and then we have all of the ones at the top. I think we can get the total of those, and then if you exhaust all of your efforts in trying to find the rightful owner then by the next meeting, I think we should just send this back to the general fund. You have done everything that you could do to try to return this. Any Commissioners have any questions on any of the items that Craig is talking about?

Commissioner Woods: Could we get an opinion from the Town Attorney to see about Foxboro and Horizon Hills, if they could be turned over to the Association?

Chairman Pane: Okay. Craig, if you could contact the Town Attorney and ask him that please?

Craig Minor: Yes.

Chairman Pane: In a very short period of time Craig, we have gone through all of these performance bonds and I want to thank you for doing that. It's nice to get these things finally cleaned up. Are there any other questions from the Commissioners?

Commissioner Woods: I have one Mr. Chairman. Am I to assume that everything that is off the list now is in the process of being paid?

Craig Minor: That's correct.

Commissioner Woods: Okay, thank you

James Krupinski: Mr. Chairman, just a note to Craig. You might want to stop down to my office, I just looked at something and I've actually got something, some old releases here showing for some, this one goes back to Hampton Court from 1976, so I might have some information that might be beneficial to you.

Chairman Pane: That's great, thank you James

James Krupinski: You're welcome.

Petition 29-20

Special Permit (Sec. 6.2.5) for Free Standing Sign at 395 Willard Avenue Colchester Properties, LLC, owner, Sign-Lite Inc., applicant
Mark DeTulio, 6 Corporate Drive, North Haven, CT, contact.

Commissioner Havens moved to approve Petition 29-20 Special Permit (Sec. 6.2.5) for Free Standing Sign at 395 Willard Avenue Colchester Properties, LLC, owner, Sign-Lite Inc., applicant, Mark DeTulio, 6 Corporate Drive, North Haven, CT, contact.

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

Petition 31-20

Site Plan Modification 100 Milk Lane
Saputo Dairy Foods USA, LLC, Applicant
Catamount Newington LLC; Owner; Scott Manlove 100 Milk Lane, Newington CT, contact

Commissioner Sobieski moved to approve Petition 31-20 Site Plan Modification 100 Milk Lane Saputo Dairy Foods USA. LLC, Applicant Catamount Newington LLC; Owner; Scott Manlove 100 Mile Lane, Newington CT, contact.

Conditions:

None

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

Petition 33-20

Section 8-24 Referral of Proposed Sale of former National Welding Company

690 Cedar Street

Newington Town Council Owner/applicant

Commissioner Woods moved to approve Petition 33-20 Section 8-24 Referral of Proposed Sale of former National Welding Company property at 690 Cedar Street Newington Town Council Owner/applicant.

Findings:

1. The sale of 690 Cedar Street is a land use strategy stated on page 50 of the new POCD adopted on August 29, 2020. Continue to promote appropriate development of the National Welding site now owned by the Town.
2. The proposed use of the property is market rate apartments, primarily studio and one bedroom apartments. This is accordance with the above land use strategy and will promote the following residential development goal indicated on page 59 of the new POCD, providing housing options for a variety of household types, sizes, ages, tenures, and income groups within safe and stable neighborhoods.
3. The proposed use is consistent with the overall housing diversification statement on page 64 of the new POCD. Areas in Newington which may be located to assimilate housing options within the community may include areas which are walkable to transit stations, including the Cedar Street Fastrack Station.

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

XI. TOWN PLANNER REPORT

Craig Minor: I have two items and I'll do the second one first. The new POCD has been printed, they are waiting for me to pick them up at Image Ink and what I will do is I will deliver them to everybody with their next agenda packet, unless somebody really wants it sooner than that, otherwise I'll bring them around on October 14th.

The other item is a fee in lieu in sidewalks idea. This is something that actually I have been thinking about for quite a while, but it came up as a topic at the public works team meeting a few weeks ago. This is a concept where if, for whatever good reason making a developer build a sidewalk that the regulations require, but in his situation, it doesn't make sense, because it may be a sidewalk to nowhere, or for some other good reason, rather than let him off the hook completely, he would deposit money into an account that would be reserved for, at some time in the future, the town to build sidewalks. A lot of towns do this, and I'm just throwing it out there for the Commission's consideration.

Chairman Pane: I think it's a good idea Craig, I don't know if it's a portion of whatever work they were going to do. I'll open it up to the Commissioners, how they feel about it. Any other Commissioners like to talk about this?

Commissioner Woods: I agree, I think it's an excellent idea. I applaud the Town Planner for trying to move this forward. It does not make some sense some times and we seem to lag

terribly behind in repairing our sidewalks, as a community, and maybe this will help that to move forward a little quicker.

Commissioner Sobieski: I would also like to applaud the Town Planner for this forward thinking. I really hope that we can use some of this money to repair some of our deteriorating sidewalks.

Chairman Pane: Thank you, any other comments?

Commissioner Fox: Mr. Chairman, I definitely would like to take a look at it. I mean, we do have one sidewalk issue, and actually it came up at the Council and I'll talk about that under Commissioner Remarks, but Commissioner Woods is absolutely correct and Craig is absolutely correct, it gets confusing. Thanks to Craig for his diligence.

Commissioner Lenares: I think it's pretty innovative, this type of program to put it in something like this. I think I'm in the minority because I don't really love it, but I understand it, and I appreciate everybody's opinion. I just feel if the sidewalk is not valid to be put in a particular area, then it shouldn't be up to the construction end of the deal to have someone contribute to sidewalks that need to be fixed anyway. It's not a big deal, it seems that a lot of the Commissioners like it versus not like it, but just my two cents.

Chairman Pane: Thank you Commissioner Lenares, and I don't know whether or not it would be, it would be whatever we want to set up. It wouldn't necessarily be one hundred percent of the work that they won't have to do, is that correct Craig? Where we could set the value or the proportion any way we want.

Craig Minor: You could certainly set it at less than the full value of the sidewalk. Cromwell had this and in Cromwell we would require the full amount of the sidewalk, but that is at your discretion. To get to Commissioner Lenares position, something that you could do if you wanted to is set it up so this money could only be used for new sidewalks somewhere else. Now, that doesn't solve the problem that Commissioner Woods brought up about our sidewalks breaking and not getting fixed in a timely manner, but for the developer who is a little annoyed that he is having to pay money for sidewalks that aren't even in front of his property, he might feel a little better about it if he knew that his money was going to create a new sidewalk somewhere and not just underwrite an existing expense that the Town should be dealing with in a more up front manner in the first place.

Chairman Pane: I agree with you, I like the idea where the money is set aside for filling in the gaps of the sidewalks that we haven't filled in instead of the maintenance. The maintenance should be the town's responsibility, but there are a lot of gaps out there in the sidewalks, so that is a possibility. I don't think that we should do it for full value, I think we should do it for a portion of the value, so that the developer still sees a savings, possibly. Any other questions from the Commissioners? Would you like to come up with something for y our next meeting and propose it to us, Craig?

Craig Minor: Yes.

Chairman Pane: Thank you very much. Is there anything else on the Town Planner report?

Craig Minor: No sir, that is all I have.

XII. COMMUNICATIONS

None

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

XIV.

Chairman Pane: If there is anyone in the public who might have a question or a comment?

XV. REMARKS BY COMMISSIONERS

Commissioner Fox: I heard that at the Council meeting they were discussing the Dakota sidewalk thing, and I believe the State had come to a resolution, but it seems as if the safety officer for the Town Keith Chapman rejected the sidewalks. I think I saw Keith here, can we talk about that a little bit?

Chairman Pane: I can give you a report on that if you would like. The sidewalk, as you know, was asked if we could look into that. It's not part of the Dakota requirement and it's not a condition for Dakota at all to do. The court didn't make them put the sidewalks in, all they asked them to do was to look into it. So, after having a meeting with Dakota and DOT and I believe Craig was on the line and so was the Town Manager. Unfortunately we weren't invited to earlier meetings and we were invited to the later meeting after they had all the plans. There were some issues that came up on the future of the sidewalks, the maintenance and other issues, but the biggest issue was the following day the Town Manager asked me to go down there and walk the area and just walking that close to Cedar Street was extremely unsafe, and safety was his biggest concern. He had checked with the bus routes, and he could have the bus pickup right there were we have Dakota every twenty minutes, so he felt that it was in the best interest of the Town not to do the sidewalk because of safety and some future maintenance and replacement issues.

I agreed with him, and he did have an idea of possibly going easterly to Dunkin Donuts driveway just to get people over to the parking lot there where they could walk over. There is a possibility that they are going to look at, if in the back of Dakota's property there might be a method where they might bring a sidewalk to Alumni Road in the back of the property, so they are going to look at that too. It was determined that it just wasn't safe to have that walkway going all the way down to the Fastrack and I agreed with Keith for the reasons that he stated.

Commissioner Fox: Okay, so we are talking about a rear entrance that was brought up during the public hearings, and was turned down, but this is just going to be a pedestrian entrance.

Chairman Pane: Yes, it wouldn't be for vehicles in the rear, it would be for pedestrians only, if possible. They are going to explore the possibility of a sidewalk going out to Alumni Road in the rear. If that is impossible, then they are just going to ask them to do the sidewalk to the Dunkin Donuts driveway, and naturally they still have to do the sidewalk in front of their place. That is a condition, so they have to do that, and then there is going to be a bus coverway there, and Keith thought that it would be better served for that property to have the buses, Fastrack come there

every twenty minutes per pickup and anyone who has to get to the Fastrack. He felt that that was a safer method to move the people. I agreed with him.

Commissioner Fox: Okay, I don't have any questions right now, but I'm going to think about that for the next couple of weeks. Thank you Mr. Chairman.

Craig Minor: Commissioner Fox, this will be on the agenda for the next meeting under New Business, maybe Old Business, but this is an issue for the Commission to make a decision on. It will be on your agenda.

Commissioner Fox: Okay, thank you.

Chairman Pane: Is there anything you might want to add Craig, about that meeting and what took place?

Craig Minor: I did talk to Dakota's attorney today about this, so I made him aware of what the Town's concerns are, and that it will be on the agenda for October 14th. I told him that if he, between now and then if he has any information he would like to provide to help the Commission make a decision, that he would be welcome, and that this would be something that the Commission would be discussing at its next meeting.

Chairman Pane: Thank you. Any other questions from the other Commissioners?

Commissioner Woods: What are we going to be discussing if it's not a requirement of the development, I'm getting lost here.

Craig Minor: Okay, can I speak to that Mr. Chairman?

Chairman Pane: Certainly.

Craig Minor: In the judge's ruling, he did specially say that the judge was not making it a condition of approval but he agreed that Newington was right to be concerned about the lack of sidewalks, and he directed Dakota to work with DOT in good faith, that was the phrase that the judge used, to provide Newington with a sidewalk, so it is up to Newington to decide whether it wants the sidewalk or not. It's up to TPZ to decide whether it wants the sidewalk or not. Now obviously you are going to listen to the Town Manager because he is the guy that makes things work every day, but it is TPZ's decision whether to rescind that requirement or not, so that is what the Commission needs to discuss, and presumably agree at the end of the day, but it needs to be the Commission's decision.

Chairman Pane: Thank you Craig. Does that answer your questions, Commissioner Woods?

Commissioner Woods: Is that because we made it a condition?

Chairman Pane: Yes. But the condition isn't upheld in court.

Commissioner Woods: That's where I'm a little confused.

Chairman Pane: There are no conditions on it, we really have no authority to make them do this sidewalks. We have no authority to make them do the sidewalk.

Craig Minor: That's where Mr. Chairman, I respectfully disagree. I think we do.

Chairman Pane: I guess I'll ask the Town Attorney because I don't think it's a requirement. We asked them to look into it, so now, after looking into it, I thought it was very helpful to have the Town manager down there frankly, Commissioners, because he brought in some new ideas that I didn't think about and he brought some things up, and after listening to all of his concerns, I had to agree with him. So if we are going to have this on the agenda for the next meeting, I'll have Craig, if you could have the Town Manager give a small, short report on his reasoning for not having the sidewalks, please?

Craig Minor: Certainly.

Commissioner Woods: Again Mr. Chairman, I think you worked out a pretty good compromise, so we can hear it out and discuss whether we want sidewalks or not, but I like the solution that you came up with.

Chairman Pane: Thank you, Commissioner Woods. Any other comments from the Commissioners?

Commissioner Gill: I have some questions and I don't know where they fall, it's not about this particular parcel.

As far as addresses on signage, would it be, how would we change our requirements so that we require addresses on signage?

Chairman Pane: On that last application that we did, I think they said there was no problem. Craig, if you could remind them to add the 395 to the sign? I think we have to try to catch these things and we can make it a condition when we approve certain things, that we want to see the numbers on the building and we could request a certain size, if we wanted to.

Commissioner Gill: As far as the size, we could use the rules that we have now.

Chairman Pane: I don't think that applicant had any problem with putting the address on the sign, and I think most applicants don't have a problem. We'll just have to stay on top of it, I guess.

Commissioner Gill: We had talked about permits going on line, where is that? Could we just talk about that a little bit, or are we going to look at that?

Craig Minor: I can speak to that. The Town of Newington, like a lot of towns, uses an off the shelf permit application, and it's quite robust and it's mainly for the Building Department. I'm not familiar with it myself, but Andrew is because he uses it all the time. I'm not, but I know that it has modules and the Town can purchase or not, I know that the Town has purchased the module that makes it possible for the building permits to be available on line. We have not bought the module that makes the zoning permits available on line. I can look into it, see how much it would cost and see if the Town would be willing to do that.

Commissioner Gill: I heard, as far as permits, and having problems with getting them done, I think a lot of it has to do with the town hall not being open and this possibly would be a help for the applicant process.

Another quick one is, I hope, trees that are required in a division, or that we require trees to be plants along the roadway. Is there a way of not putting trees underneath the utilities?

Chairman Pane: I think we try to catch these things on the site plan when they come to us.

Commissioner Woods: Mr. Chairman, I can work with the Planner to give him some varieties of trees that will do the purpose and not grow up in the wires.

Chairman Pane: That would be excellent Commissioner Woods. I appreciate that and I'm sure the Commission would appreciate that, and I'm sure Craig would too.

Commissioner Gill: 690 Willard Avenue, not Willard, Cedar, that new apartment going into there, I just want to put a note out there, as we go forward that possibly we might want to put in getting a good path for pedestrian traffic to the college. Not necessarily pedestrian crosswalks, but possibly a bridge over Fenn Road so that it is a safe alley.

Chairman Pane: There is a crosswalk at the road going towards the busway, I believe there is a crosswalk there. I don't see how.....

Craig Minor: Commissioner Gill, your point might be moot, because I know that the developer does not intend to have a lot of students there. I know I said studio and one bedrooms, but his expectation is that these will be working people, young professionals, not a lot of students, that is his expectation.

Chairman Pane: Exactly, on the students, as a matter of fact, I think the property across the street was going to be geared more towards the student housing. Is that correct Craig?

Craig Minor: Yes.

Commissioner Sobieski: In response to Commissioner Gill, I believe there is a bus that leaves Fastrack station and goes up to the college every 15 or 20 minutes. It loops the college.

Commissioner Gill: Okay, thank you.

Chairman Pane: Any other Commissioners have anything else?

Commissioner Fox: Real quick, regarding Commissioner Gill's statements about addresses on buildings, I think it was in the '80's when driving around in the trucks looking for an address, I think we adopted an ordinance or at least a regulation that buildings have markings, showing the address in minimum four inch letter/numbers, so Commissioner's request for the address on the monument sign is good, and I think, I don't know how many people are aware of it, but people probably should be. Thank you.

Chairman Pane: Thank you Commissioner Fox. Any other Commissioner comments?
Commissioner Sobieski, do you want to talk about the problem down on Pane Road, or.....

Commissioner Sobieski: We have that resolved I believe Chairman Pane.

Chairman Pane: I can brief everybody if you would like.

Commissioner Sobieski: That's find, if you wish to do so.

Chairman Pane: Just to keep for transparency, and Craig, there was a complaint that came in about Kamatsu over on Pane Road for loading trucks at night. Commissioner Sobieski brought it to my attention. The Kamatsu property on Pane Road abuts some residential area there and what happened is, they used to be East PBE and then Kamatsu bought the company out, and now the property on Pane Road is acting as a hub for Kamatsu and their operation requires them to deliver parts and stuff and equipment to other locations, and so they happened to come in at 3:00 maybe 4:00 in the morning, and they were loading and they were disturbing the residents right there. After hearing the problem from Commissioner Sobieski, I went over to the former East PBE building, and I talked to the manager, Kevin, and he explained the problem to me and he is going to move the whole operation over to the other side of the building, the far side of the building so that it's another 300/400 feet away from the residents and you will have the building as a sound barrier too. The truck would move over to that side, the farthest away from the residents and he said that he would move everybody over there and do the operation from that side. I think that will correct the majority of the problem, and I notified the resident of what was happening, and I told the resident that if he has any future problems to let me know. The manager at East PBE or Kamatsu also said that they are going to evaluate to see if they could change the timing schedule of the trucks, if possible so that instead of 3:00 in the morning, they change their route and it's 6:30, 7:00 in the morning instead, but he's not sure if he can do that because of the operation.

I asked him to look into it, but until then, please have everything done on the opposite side of the building to try to mitigate any noise for the residents and that's what I told Commissioner Sobieski and I also told the resident who put the complaint in. That's where we stand on that. If you have any questions, I will try to answer them.

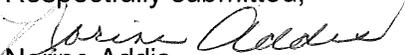
XVI. CLOSING REMARKS BY THE CHAIRMAN

Chairman Pane: I want to thank everybody for a great TPZ meeting. I think we have been moving along really well. As development comes in, we look at it, and we make sure that it is correct and then we move it forward in a speedy fashion for the developers. I appreciate everyone's input on everything. We've been really working well together and I want to thank everybody.

XVII. ADJOURN

Commissioner Fox moved to adjourn the meeting. The motion was seconded by Commissioner Sobieski. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,


Norine Addis,
Recording Secretary

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: September 17, 2020
Subject: Petition #30-20: Zone Change from B, I, R-7 and R-12 to PD (Planned Development) at 33, 39 and 45 Spring Street; 96, 108, 112, 116, 120, 126 and 129 Willard Avenue; and 230 West Hill Road. Gibbs Oil Company, applicant; Kenneth R. Slater Jr., Esq., 225 Asylum Street, Hartford CT, contact.

Description of Petition #30-20:

This is a petition to change the zone for nine parcels on the east side of Willard Avenue between the CTfastrak station and Spring Street, and two parcels on the west side of Willard Avenue at the intersection with West Hill Street. The total area is 10 acres. The current zoning is a mix of R-7 and R-12, Industrial, and Business zones; the requested zoning is Planned Development.

Staff Comments:

I will withhold making any substantial comments until after the applicants have made their presentation, and members of the public have commented on it. I will simply say at this point that the application is substantially complete, in that they have submitted: (1) a narrative explaining the benefits of the zone change; (2) a map of the area to be changed; (3) a conceptual site plan showing how the east side of Willard *could* be developed if all of the individual property owners work together; and (4) a set of site plans showing how the Gibbs Oil property *will* be developed if the zone change is approved.

This area is identified in the new POCD as part of “Opportunity Area D – Newington Junction”. The POCD describes “Opportunity Areas” as

“areas of Newington where the locational attributes may have changed in a material way, and this presents a situation where the community can investigate and discuss possible land use options for the future in order to build on strengths, overcome weaknesses, seize opportunities, and address constraints.” (Page 47).

cc:
Applicant
file

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



Petition # 30-20

TOWN OF NEWINGTON TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION: See Attached Map ZONE: B; I; R-7; R-12
 APPLICANT: Gibbs Oil Company TELEPHONE: 800-352-3558
 ADDRESS: 129 Willard Avenue, Newington, CT 06111 EMAIL: ABelandcatamountmanagment.com
 CONTACT PERSON: Kenneth R. Slater, Jr., Esq, TELEPHONE: 860-297-4662
 ADDRESS: Halloran Sage LLP 225 Asylum St. Htfd, CT 06103 EMAIL: slater@halloransage.com
 OWNER OF RECORD: See Attached List

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

- Zoning Map Change from the B;I;R-7;R-12 Zone to the PD 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): _____

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>8/27/20</u>		<u>8/27/20</u>
APPLICANT	DATE	PROPERTY OWNER	DATE

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).

The Proposed Newington Junction PD Zone:

Transit Oriented Development for Newington's Future

The proposed zone change for subject properties in the Willard Avenue/Spring Street area to a Planned Development ("PD") district, reference herein as the "Newington Junction PD Zone," would provide substantial benefits to the Town of Newington.

Chief among these benefits of creating a unified PD zone in the vicinity of the Newington Junction CTfastrak station would be to authorize the creation of Transit Oriented Development ("TOD") in the Newington Junction PD Zone in accordance with the Newington Plan of Conservation and Development. The advantages of TOD generally would include the maximization of residential, business and leisure space within walking distance of CTfastrak to establish a symbiotic relationship between the maximization of the use of public transport with a concomitant reduction in the use of personal automobiles while benefiting economic development and modern residential lifestyle. This change would enable the combination of lots within the zone to support vibrant multi-use development such as that shown in the attached conceptual plan.

TOD is supported as a development strategy recommended in the new 2020 Plan of Conservation and Development. The plan lists as one such strategy, the establishment of "transit-oriented sites at appropriate locations when transit stations have been established."¹ The 2020 plan also identifies the Subject Area as a "Transit Oriented" area.²

The advantages of TOD were cited in a March 2018 *Pilot Study* ("Pilot Study") prepared for the Connecticut DOT and the City of Hartford regarding TOD. For example, the Pilot Study states that "TOD that offers a complete lifestyle. . . has been shown to support vibrant communities. When these communities are bolstered by a well-connected network of transportation choices. . . they promote active, healthier lifestyles and reduce the reliance on personal automobiles. Moreover, TOD residents have better access to employment centers and expanding economic opportunity."³

The advantages of TOD are not simply aspirational; having provided real economic benefits to Connecticut municipalities. For example, a recent CTMirror.org article describing the economic benefits of TOD near the New Britain CTfastrak station states as follows:

Downtown New Britain is steadily coming back. Streets have been revamped and redesigned. . . a downtown park has been spiffed up, and historic buildings are being refurbished for housing and other uses. A new development, two five-story buildings with about 160

¹ 2020 Plan at p.24.

² *Id.* at p. 33.

³ *Pilot Study* at p. 4.

residential units and 20,000 square feet of retail space, is underconstruction. “More downtown buildings have been sold in the last two years than in the last 20 years,” said longtime city development director Bill Carroll, a New Britain native. “It’s a beautiful thing to see.” What’s driving this revival? The bus [i.e., CTfastrak].⁴

Meriden is another Connecticut Municipality that has embraced TOD. A publication of Meriden 2020 describes how “[a TOD] zoning district incorporating form-based regulations was formally adopted in 2013 for the area within one-half mile of the [a 2018 Meriden Transit Center]. The regulations were designed to encourage moderate and high-density mixed-use development within walking distance of the transit area, create a friendly and safe environment for bicyclists and pedestrians, and protect existing neighborhoods integrating new development in a context sensitive manner.”

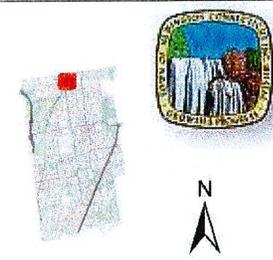
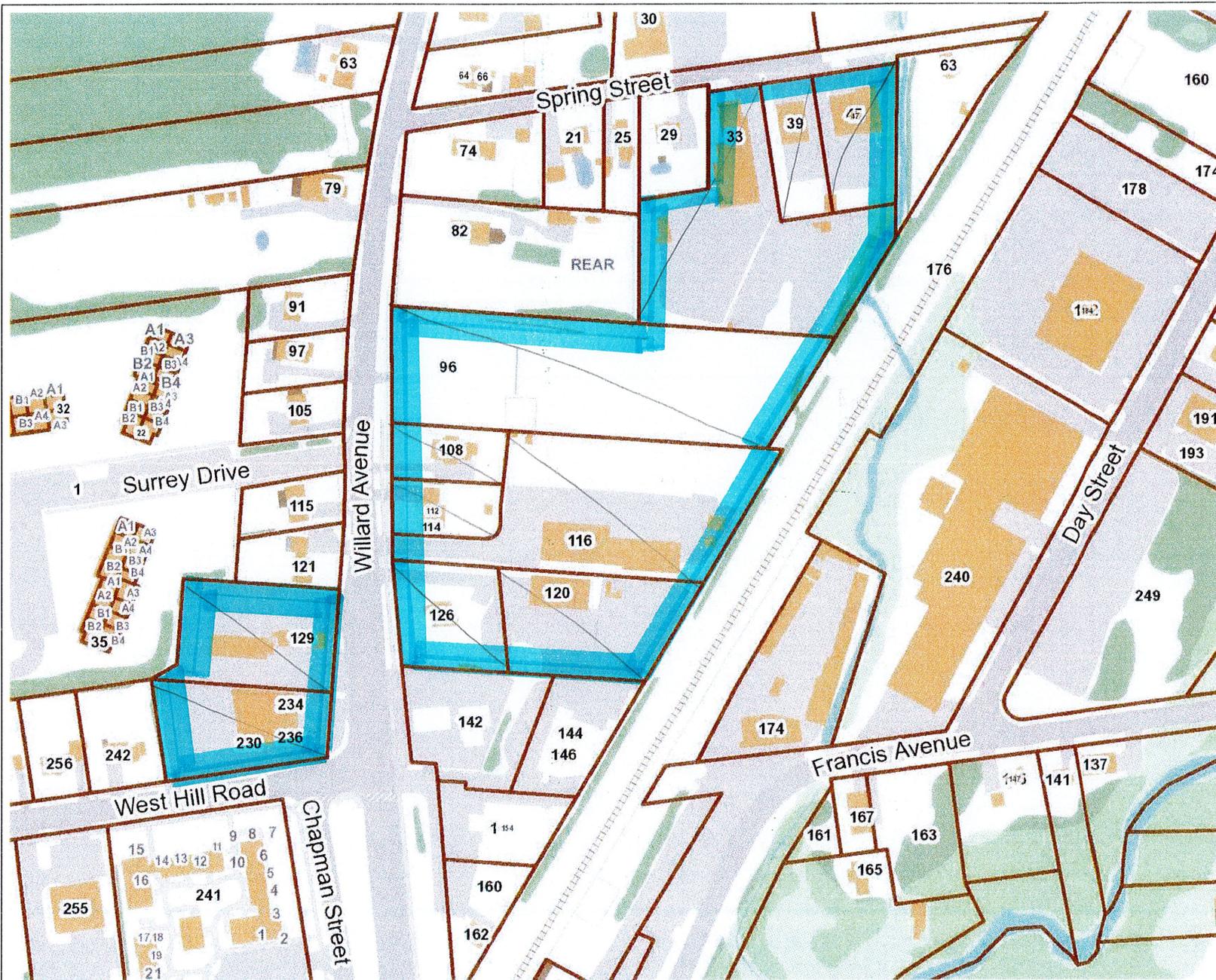
This area of Newington near is well-suited to benefit economic development and vibrant residential opportunities near the transit stations. The Newington Junction PD Zone currently already contains a mix of Business, Industrial and Residential Districts and uses. The requested zone change would create a unified PD district where the commission receives and approves a concept plan that can include business uses authorized under Section 3.14 of regulations, special permit uses authorized under section 3.15 such as theaters, hotels and restaurants, including drive-through restaurants, and mixed use development with residential units location above first floor retail, office or service uses. Section 3.19.

Also included are more specific concept plans with respect to upgrading the Phillips 66 gas station to include a drive through Dunkin Donuts restaurant as authorized in the PD zone. The ability to utilize property designed drive-through food and beverage services has proved invaluable during the current pandemic and is consistent with the transit oriented economic development in association with the Newington Junction station.

It is notable that the historic residential homes in located on Willard Avenue in the near the various existing commercial, industrial, and residential uses in the neighborhood are excluded from the proposed zone to protect their residential status. The PD zone includes special buffering requirements for development near a residential zone. Section 3.18.4.

This unified district would encourage TOD by providing developers with a single palette of development options in the Newington Junction PD Zone, thereby enabling synergies with both the CT Fastrak station and adjacent developments and provided the Commission with the tools to protect existing nearby buildings and uses.

⁴ *Back to the Future with Transit-Oriented Development; CTMirror.org, July 29, 2019.*



Map Legend

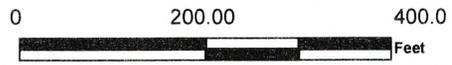
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SA SEMAP LEGEND

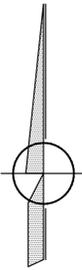
- Centerlines
- Local Roads
- Major Roads
- Highways
- Buildings
- Pool
- Deck
- Railroad
- Sidewalks
- Driveways
- Paved Road
- Streams
- Marsh/Wetlands
- Water
- Vegetation

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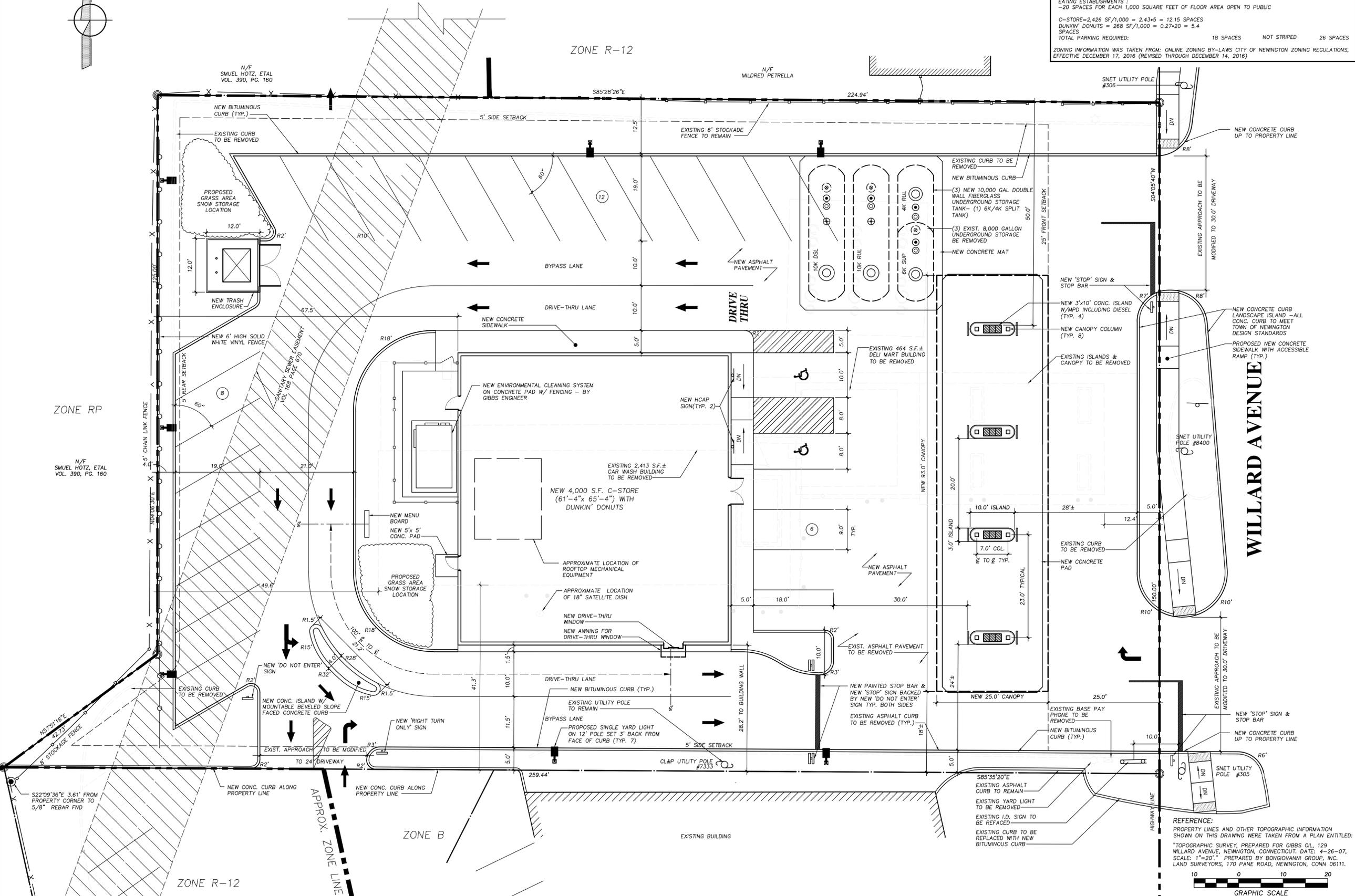
Gibbs Oil Zone Change



This map is for planning purposes only. Verification of its accuracy, currency and completeness is the responsibility of the reader's own independent research. Neither the Town of Newington nor any of its consultants shall be held liable for any loss, damages or claims made solely as a result of anyone referring to this map.



ZONING DATA			
ZONE: BUSINESS (B)			
BUILDING SETBACKS:	REQUIRED:	EXISTING:	PROVIDED:
MINIMUM FRONT YARD	25'	12.4' (CANOPY)	25.0' (CANOPY)
MINIMUM SIDE YARD	5'	41.3' (BUILDING)	28.2' (BUILDING)
MINIMUM REAR YARD	5'	49.6' (BUILDING)	67.5' (BUILDING)
BUILDING REQUIREMENTS:	MINIMUM LOT AREA	10,000 SF	34,233 S.F.
	MINIMUM LOT FRONTAGE	50'	150.0'
	MAXIMUM BUILDING HEIGHT	2 STORIES/35'	18±
			24'
PARKING REQUIREMENTS:			
RETAIL SERVICES:			
-5 SPACES FOR EACH 1,000 SQUARE FEET OF GROSS FLOOR AREA			
EATING ESTABLISHMENTS:			
-20 SPACES FOR EACH 1,000 SQUARE FEET OF FLOOR AREA OPEN TO PUBLIC			
C-STORE=2,426 SF/1,000 = 2.43*5 = 12.15 SPACES			
DUNKIN' DONUTS = 268 SF/1,000 = 0.27*20 = 5.4 SPACES			
TOTAL PARKING REQUIRED:			
		18 SPACES	NOT STRIPED
			26 SPACES
ZONING INFORMATION WAS TAKEN FROM: ONLINE ZONING BY-LAWS CITY OF NEWINGTON ZONING REGULATIONS, EFFECTIVE DECEMBER 17, 2016 (REVISED THROUGH DECEMBER 14, 2016)			



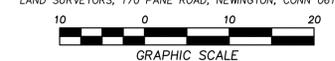
REV	PER	DATE	DESCRIPTION
1	ALM	10/13/16	REVISED PER CLIENT COMMENTS
2	ALM	02/06/17	REVISED PER CLIENT COMMENTS
3	ALM	03/24/17	REVISED PER CLIENT COMMENTS
4	ALM	03/29/17	UPDATED PER RELOCATED TRASH ENCLOSURE
5	ALM	5/25/2017	REVISED PER TOWN PLANNERS COMMENTS
6	ALM	10/10/2017	REVISED PER TRAFFIC REVIEW COMMENTS

AYOUB ENGINEERING
 ENGINEERS & ARCHITECTS
 ADDRESS:
 414 BENEFIT STREET
 PAWTUCKET, RHODE ISLAND 02861
 401-728-5535

GIBBS OIL COMPANY
 PROJECT ADDRESS:
 NEWINGTON, CT
 129 WILLARD AVENUE
 SHEET DESCRIPTION:
SITE IMPROVEMENT PLAN

PREPARED FOR: GIBBS OIL COMPANY
 PROJECT NO. 3008.116
 SCALE: 1"=10'
 DRAWN BY: PA
 DATE: 10/12/16

SHEET NO. **C-1**

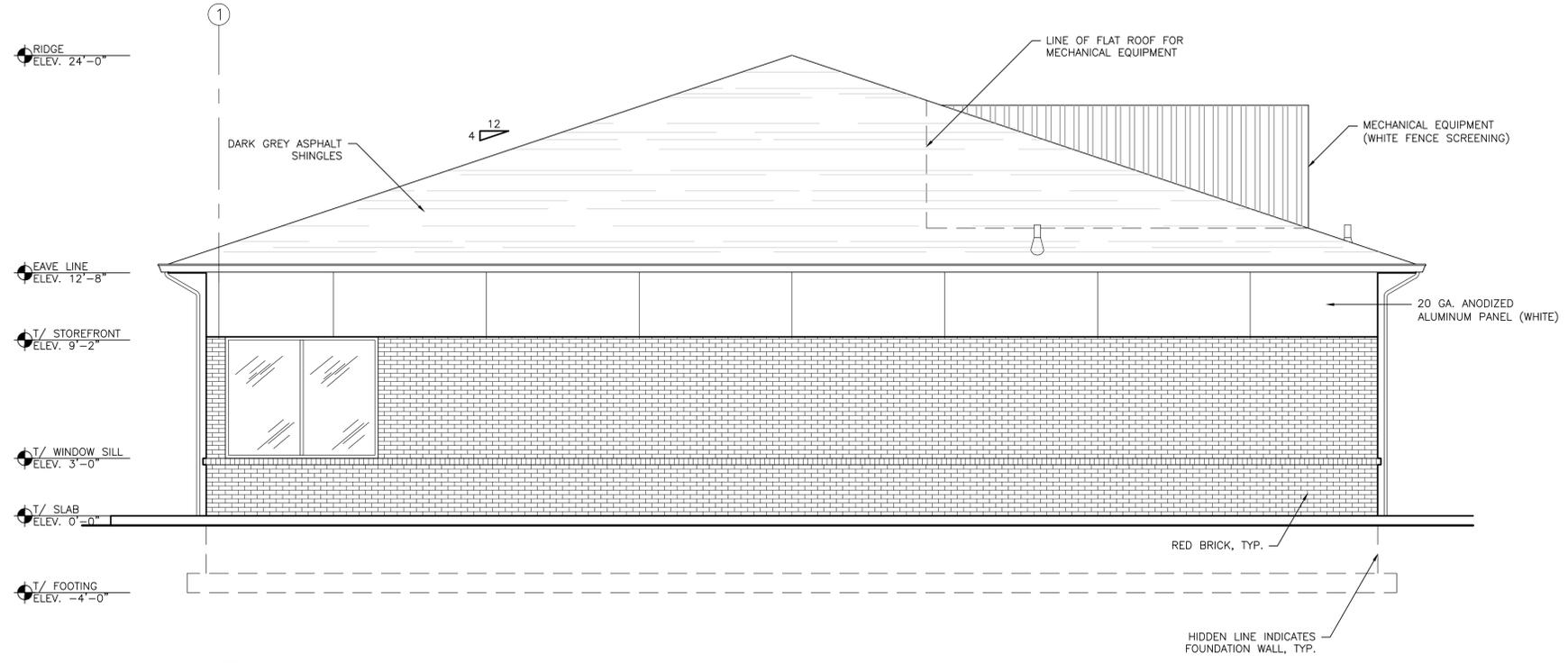


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1 FRONT ELEVATION
A2.0 SCALE: 1/4" = 1'-0"

NOTES:
1. 1" INSULATED CLEAR ANODIZED GLASS WITH BLACK ANODIZED ALUMINUM FRAMES & TEMPERED GLASS AS REQUIRED BY CODE.



2 RIGHT ELEVATION
A2.0 SCALE: 1/4" = 1'-0"

REV	PER	DATE	DESCRIPTION
1	AIM	02/06/2017	REVISED PER CLIENT'S COMMENTS
2	AIM	02/16/2017	REVISED PER UPDATED SIGNAGE PACKAGE
3	SMP	03/10/2017	REVISED PER UPDATED CO-BRAND LAYOUT
4	SMP	03/29/2017	UPDATED PER RELOCATED TRASH ENCLOSURE

AYOUB ENGINEERING
ENGINEERS & ARCHITECTS
CORPORATE OFFICE:
414 BENEFIT STREET
PAWTUCKET, RHODE ISLAND 02861
401-728-5533

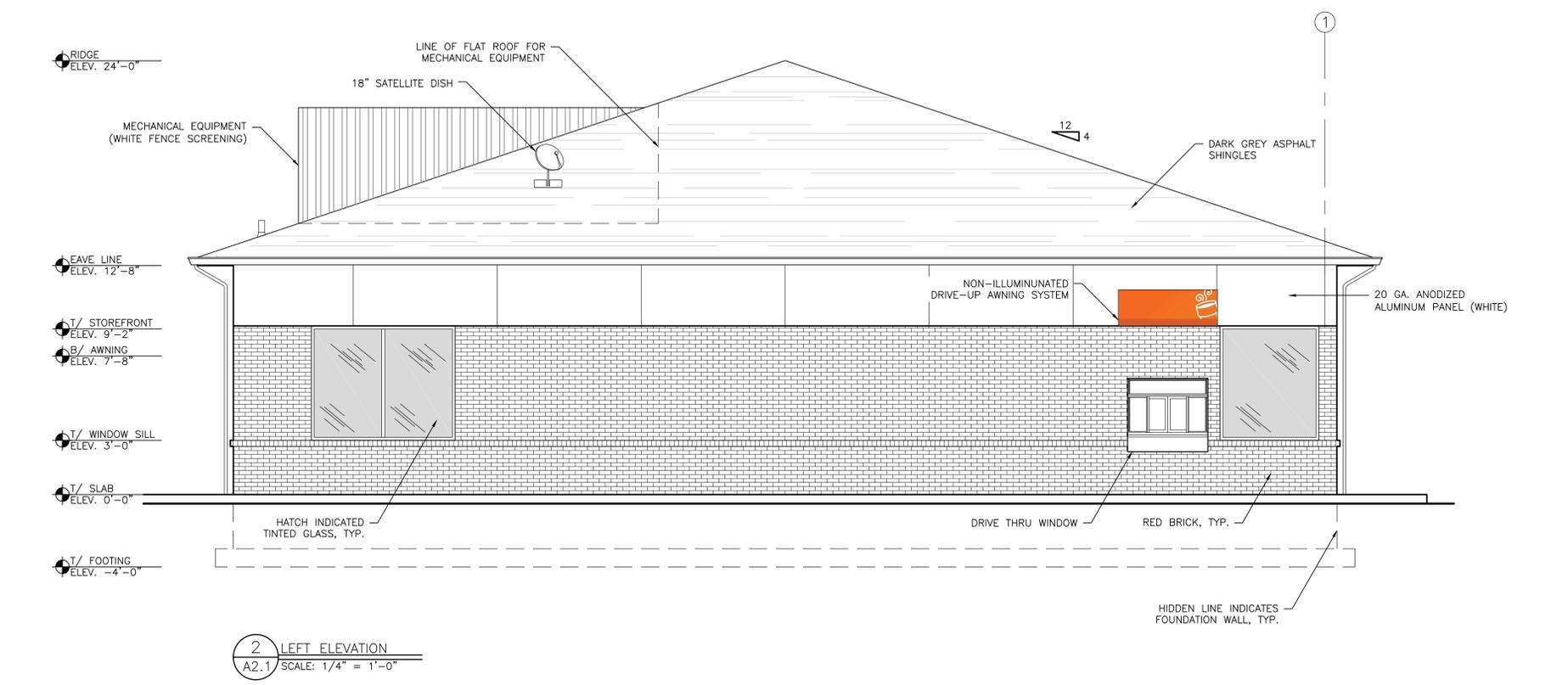
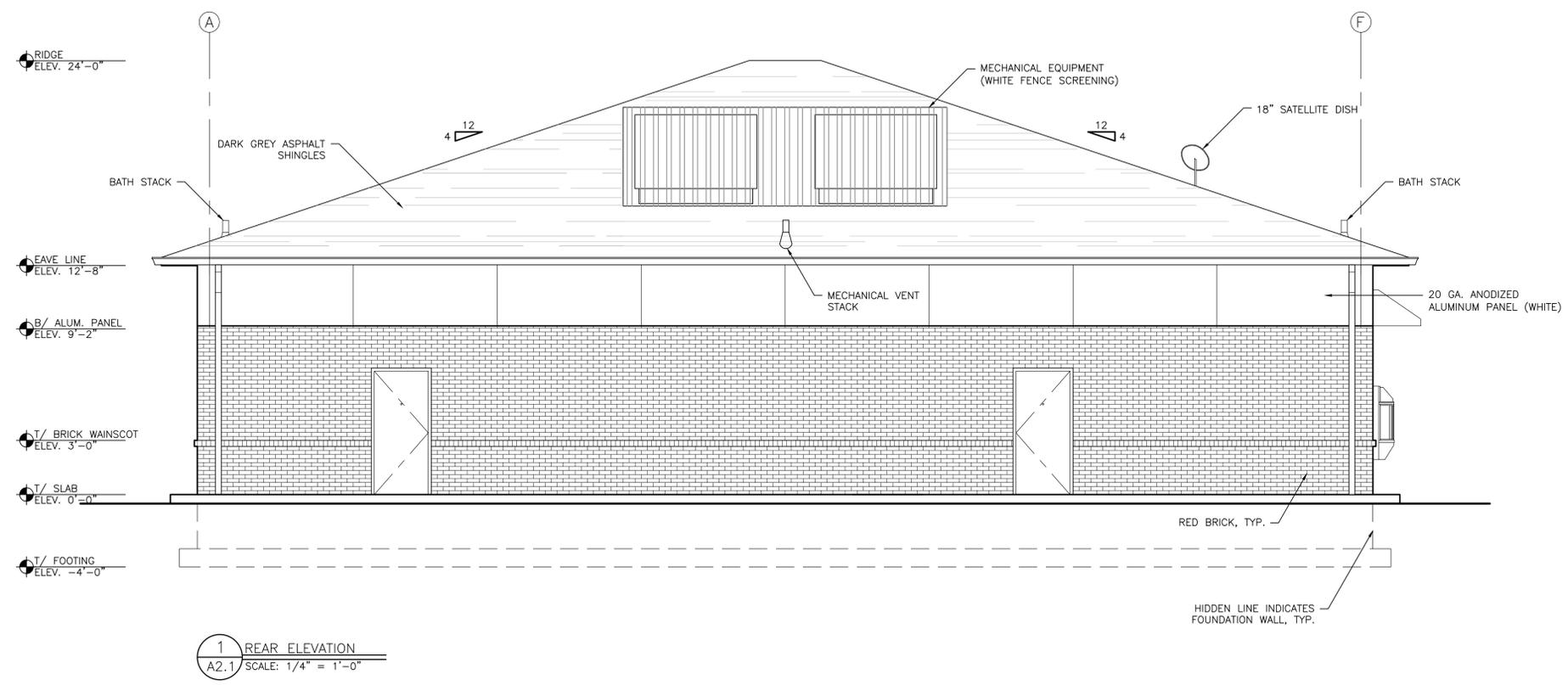
PREPARED FOR
GIBBS OIL COMPANY

PROJECT ADDRESS
NEWINGTON, CT
128 WILLARD AVENUE

SHEET DESCRIPTION
EXTERIOR ELEVATIONS

PROJECT NO.	3008.116	SHEET NO.	A2.0
SCALE:	AS NOTED		
DRAWN BY:	HAL		
DATE:	02/03/2016		

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REV	PER	DATE	DESCRIPTION
1	AIM	02/16/2017	REVISED PER UPDATED SIGNAGE PACKAGE
2	SMP	03/10/2017	REVISED PER UPDATED CO-BRAND LAYOUT
3	SMP	03/29/2017	UPDATED PER RELOCATED TRASH ENCLOSURE

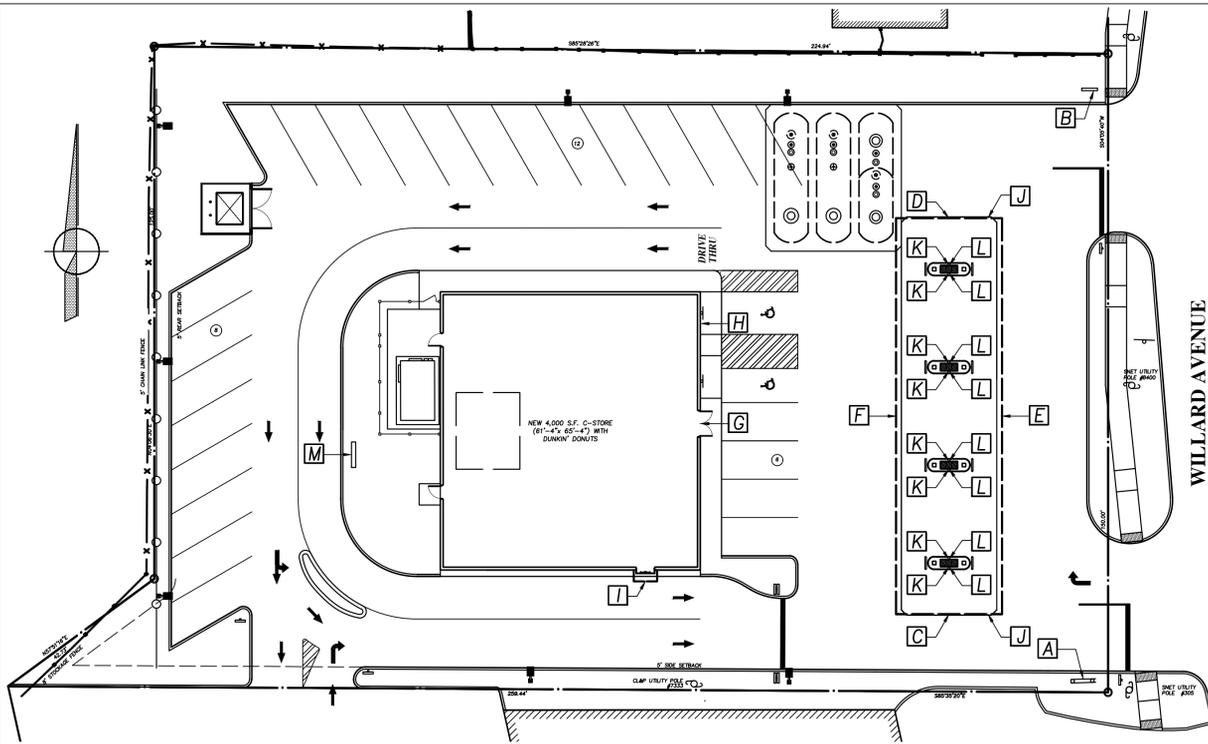
AYOUB ENGINEERING
ENGINEERS & ARCHITECTS
CORPORATE OFFICE:
414 BENEFIT STREET
PAWTUCKET, RHODE ISLAND 02861
401-728-5533

PREPARED FOR
GIBBS OIL COMPANY

PROJECT ADDRESS
NEWINGTON, CT
128 WILLARD AVENUE

SHEET DESCRIPTION
EXTERIOR ELEVATIONS

PROJECT NO.	3008.116	SHEET NO.	A2.1
SCALE:	AS NOTED		
DRAWN BY:	HAL		
DATE:	02/03/2016		



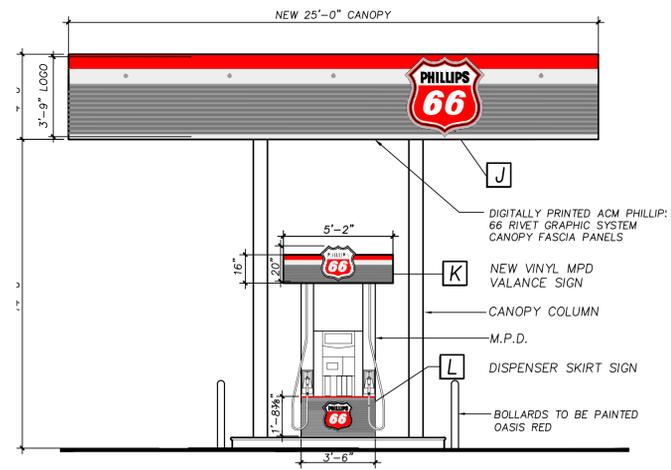
PROPOSED SITE PLAN

REFERENCE:
PROPERTY LINES AND OTHER TOPOGRAPHIC INFORMATION SHOWN ON THIS DRAWING WERE TAKEN FROM:
*TOPOGRAPHIC SURVEY, PREPARED FOR GIBBS OIL, 129 WILLARD AVENUE, NEWINGTON, CONNECTICUT. DATE: 4-26-07. SCALE: 1"=20' PREPARED BY BONGIOVANNI GROUP, INC. LAND SURVEYORS, 170 PANE ROAD, NEWINGTON, CONN 06111.

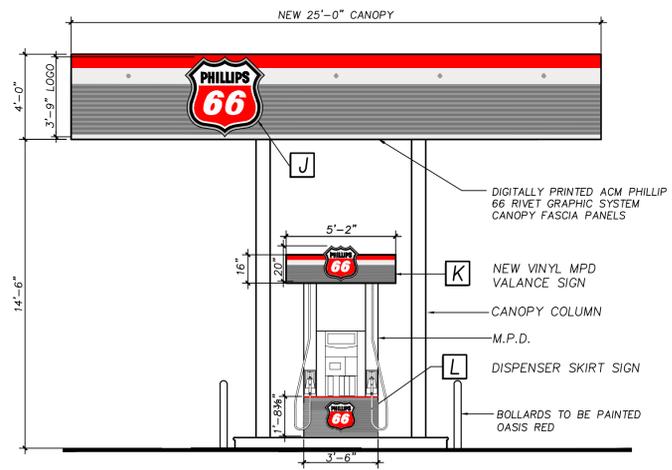
SCALE: 1"=20'



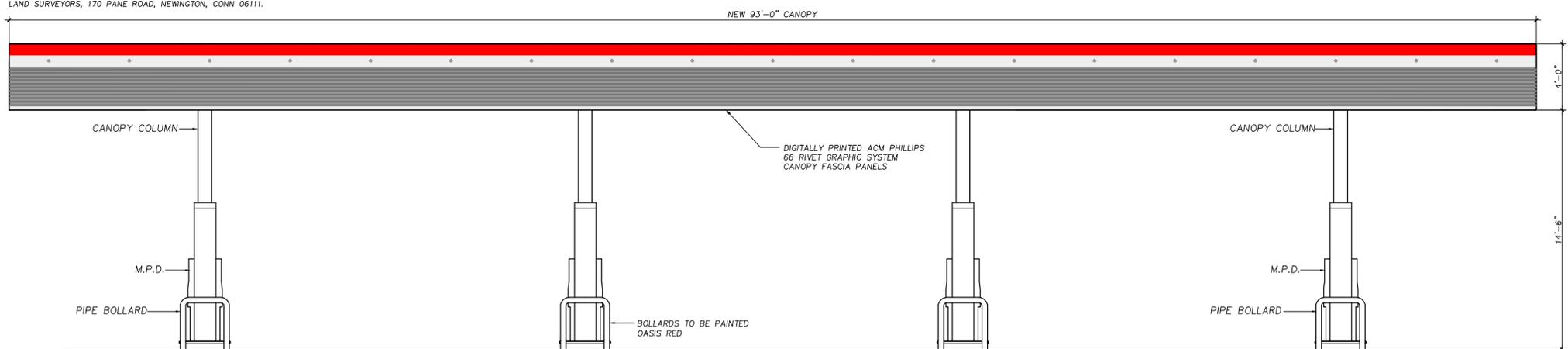
PROPOSED SIGN SCHEDULE							
MARK	DESCRIPTION	SIZE	AREA	QUAN.	SQUARE FT.	INT. ILLUM'D.	REMARKS
A	I.D. SIGN	5'-0" x 12'-4"	61.7 S.F.	1	61.7 S.F.	YES	TO BE REFACED
B	DIRECTIONAL DRIVE-THRU	2'-6" x 1'-2"	2.9 S.F.	1	2.9 S.F.	YES	PROPOSED
G	"FOOD MART" (BLDG.)	10'-0" x 2'-0"	20.0 S.F.	1	20.0 S.F.	YES	PROPOSED
H	"DUNKIN DONUTS" (BLDG.)	10'-0" x 2'-0"	20.0 S.F.	1	20.0 S.F.	YES	PROPOSED
I	CANOPY DRIVE-THRU SIGN	2'-8" x 2'-0"	5.3 S.F.	1	5.3 S.F.	NO	PROPOSED
J	CANOPY SIGN	3'-9" x 3'-9"	14.1 S.F.	2	28.2 S.F.	YES	PROPOSED
K	DISPENSER VALANCE SIGN	1'-9" x 5'-2"	9.0 S.F.	8	72.0 S.F.	NO	PROPOSED
L	DISPENSER SKIRT SIGN	1'-8 3/4" x 3'-6"	6.5 S.F.	8	52.0 S.F.	NO	PROPOSED
M	MENU BOARD	6'-6 1/4" x 5'-2"	33.7 S.F.	1	33.7 S.F.	YES	PROPOSED
TOTAL PROPOSED SIGNAGE:			295.8 S.F.				



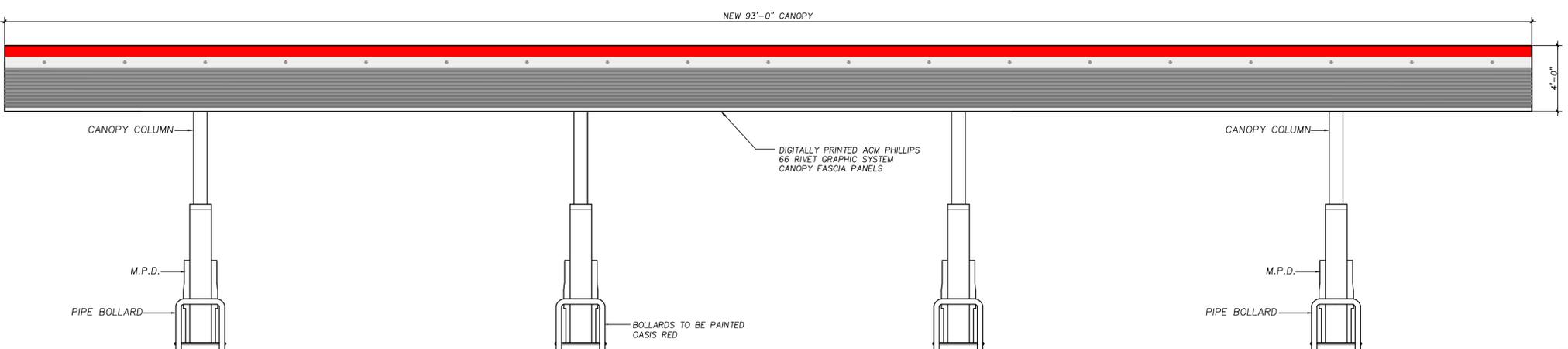
C PROPOSED CANOPY LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



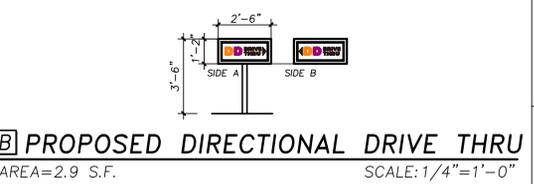
D PROPOSED CANOPY RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



E PROPOSED CANOPY FRONT ELEVATION
SCALE: 1/4" = 1'-0"



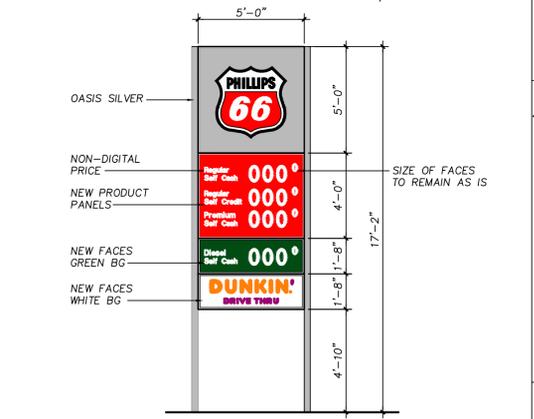
F PROPOSED CANOPY REAR ELEVATION
SCALE: 1/4" = 1'-0"



B PROPOSED DIRECTIONAL DRIVE THRU
AREA=2.9 S.F. SCALE: 1/4"=1'-0"



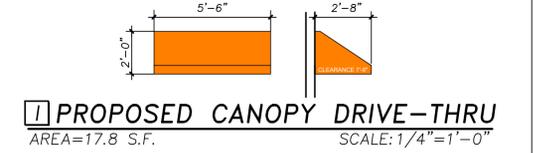
G PROPOSED BUILDING SIGN
AREA=20.0 S.F. SCALE: 1/4"=1'-0"



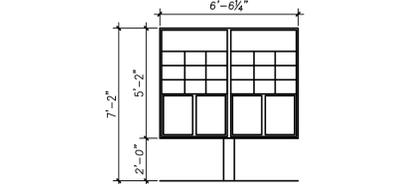
A PROPOSED ID SIGN TO BE REFACED
AREA= 61.7 S.F. SCALE: 1/4"=1'-0"



H PROPOSED BUILDING SIGN
AREA=20.0 S.F. SCALE: 1/4"=1'-0"



I PROPOSED CANOPY DRIVE-THRU
AREA=17.8 S.F. SCALE: 1/4"=1'-0"



M PROPOSED MENU BOARD
AREA=33.7 S.F. SCALE: 1/4"=1'-0"

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REV	PER	DATE	DESCRIPTION
1	AJM	02/06/2017	REVISED PER CLIENT'S COMMENTS
2	AJM	02/16/17	REVISED PER UPDATED SIGNAGE PACKAGE
3	AJM	3/29/17	UPDATED PER RELOCATED TRASH ENCLOSURE
4	AJM	05/25/17	REVISED PER TOWN PLANNERS COMMENTS
5	AJM	01/21/20	REVISED PER UPDATED GRAPHICS STANDARDS

AYOUB ENGINEERING
ENGINEERS & ARCHITECTS

ADDRESS:
41/A BENEFIT STREET
PAWTUCKET, RHODE ISLAND 02861
401-728-5533

PREPARED FOR
GIBBS OIL COMPANY

PROJECT ADDRESS
NEWINGTON, CT
129 WILLARD AVENUE

SHEET DESCRIPTION
PROPOSED SIGN & GRAPHICS PLAN

PROJECT NO. 3008.116
SCALE: AS NOTED
DRAWN BY: FA
DATE: 02/03/17

SHEET NO.
SG-2

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: October 5, 2020
Subject: Petition #33-20: Referral of Proposed Amendment to the Conservation Commission (Inland Wetlands and Watercourses Agency) Regulations. Newington Conservation Commission, applicant.

Description of Petition #33-20:

Section 427-4 of the Newington Code of Ordinances states that all proposed amendments to the regulations of the Conservation Commission (the board that functions as the Inland Wetlands and Watercourses Agency for the Town of Newington) are to be referred to TPZ “for review and comment”. The Conservation Commission wants to amend their regulations to provide additional protection for the ecological formations that are known as “vernal pools”.

Staff Comments:

Vernal pools are small, rain-fed ponds, usually in the woods, that dry up every summer. Because they dry up they don’t support a fish population, and for many years they were therefore assumed to be an unimportant part of the natural environment. But in fact, it’s the opposite. Because vernal pools contain no fish to eat amphibian eggs, vernal pools are the breeding area for amphibians such as frogs and turtles.

Technically a vernal pool is a type of watercourse and therefore already subject to the protection of the Conservation Commission’s regulations. But having a definition and specific regulations will provide them with additional protection.

The Conservation Commission has been working on this amendment for some time. I recommend TPZ support the Conservation Commission’s efforts to adopt this amendment.

cc:
Conservation Commission
file

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

Minor, Craig

From: Hinckley, Erik
Sent: Monday, September 21, 2020 10:50 AM
To: Minor, Craig
Subject: Inland Wetland Regs
Attachments: Newington_IW_Regs_Vernal Pools_Draft.pdf; Public Hearing Notice.pdf

Craig,

Pursuant to local ordinance § 427.4 attached is a copy of the proposed regulation changes for distribution to the TPZ for their review and comment. These changes are incorporating information about vernal pools.

Erik S. Hinckley
Engineering Tech / Inland Wetland Agent
Town of Newington
860.665.8562 (direct)
860.665.8577 (fax)

<http://www.newingtonct.gov/>

INLAND WETLANDS
AND
WATERCOURSES REGULATIONS
OF THE
TOWN OF NEWINGTON



TABLE OF CONTENTS

Section 1 – Title and Authority.....2

Section 2 - Definitions3

Section 3 – Inventory of Inland Wetlands and Watercourses.....6

Section 4 – Permitted Uses as of Right and Non-regulated Uses7

Section 5 – Activities Regulated Exclusively by the Commissioner of Environmental Protection8

Section 6 – Regulated Activities to be Licensed.....9

Section 7 – Application Requirements10

Section 8 – Application Procedures.....16

Section 9 – Public Hearings.....17

Section 10 – Considerations for Decision17

Section 11 – Decision Process and Permit.....19

Section 12 – Action by Duly Authorized Agent.....20

Section 13 – Bond and Insurance.....23

Section 14 - Enforcement.....23

Section 15 - Amendments24

Section 16 – Appeals25

Section 17 – Conflict and Severance.....26

Section 18 – Other Permits.....26

Section 19 – Application Fees.....26

Section 20 – Effective Date of Regulations.....28

- 1.5 The Agency shall enforce the Inland Wetlands and Watercourses Act and shall issue, issue with terms, conditions, limitations or modifications, or deny permits for all regulated activities in the Town of Newington pursuant to sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, as amended.

Section 2 - Definitions

- 2.1 As used in these regulations:

"Act" means the Inland Wetlands and Watercourses Act, sections 22a-36 through 22a-45, inclusive, of the Connecticut General Statutes, as amended.

"Agency" means the Conservation Commission of the Town of Newington.

"Bogs" are watercourses distinguished by evergreen trees and shrubs underlain by peat deposits, poor drainage, and highly acidic conditions.

"Clear-cutting" means the harvest of timber in a fashion which removes all trees down to a two inch diameter at breast height.

"Commissioner of Environmental Protection" means the commissioner of the State of Connecticut Department of Energy and Environmental Protection (DEEP).

"Continual flow" means a flow of water which persists for an extended period of time; this flow may be interrupted during periods of drought or during the low flow period of the annual hydrological cycle, June through September, but it recurs in prolonged succession.

"Deposit" includes, but shall not be limited to fill, grade, dump, place, discharge or emit.

"Discharge" means emission of any water, substance, or material into waters of the state whether or not such substance causes pollution.

"Essential to the farming operation" means that the proposed activity is necessary and indispensable to sustain farming activities on the farm.

"Farming" shall be consistent with the definition as noted in section 1-1(q) of the Connecticut General Statutes.

"Feasible" means able to be constructed or implemented consistent with sound engineering principles.

"License" means the whole or any part of any permit, certificate of approval or similar form of permission which may be required of any person by the provisions of sections 22a-36 to 22a-45, inclusive.

"Low impact development techniques" mean the application of site design and stormwater management (such as, but not limited to, infiltration of rainwater, treatment of stormwater runoff, and runoff attenuation) in order to mimic the hydrologic conditions associated with an undeveloped site. Such techniques may be

“Upland review area” means the area of land within one hundred (100) feet measured horizontally from the boundary of any wetland or watercourse **or land within two hundred (200) feet of any vernal pool.** (See also Regulated Activity.)

“Vernal Pool” means a watercourse consisting of a confined basin depression which contains a small body of standing water, usually drying out for part of the year during warm weather. It can be natural or man-made, and usually lacks a permanent outlet or any fish population. Further, the occurrence of one or more of the obligatory species which include fairy shrimp, spotted salamander, Jefferson salamander, marbled salamander, wood frog, and eastern spadefoot toad are necessary to conclusively define the vernal pool.

"Waste" means sewage or any substance, liquid, gaseous, solid or radioactive, which may pollute or tend to pollute any of the wetlands or watercourses of the Town.

"Watercourses" means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the Town or any portion thereof not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (a) evidence of scour or deposits of recent alluvium or detritus, (b) the presence of standing or flowing water for a duration longer than a particular storm incident, and (c) the presence of hydrophytic vegetation.

"Wetlands" means land, including submerged land as defined in this section, not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soils Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites which possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.

Section 3 – Inventory of Inland Wetlands and Watercourses

- 3.1 The map of wetlands and watercourses entitled "Inland Wetlands and Watercourses Map, Newington, Connecticut" delineates the general location and boundaries of inland wetlands and the general location of watercourses. Copies of this map are available for inspection at the office of the Town Clerk or the Agency. In all cases, the precise location of regulated areas shall be determined by the actual character of the land, the distribution of wetland soil types and location of watercourses. The Agency may use aerial photography, remote sensing imagery, resource mapping, soils maps, site inspection observations or other information in determining the location of the boundaries of wetlands and watercourses.
- 3.2 Any person may petition the Agency for an amendment to the map. All petitions for a map change shall be submitted in writing and shall include all relevant facts and circumstances which support the change. The petitioner shall bear the burden of proof regarding the proposed map amendment. Such proof may include, but not limited to,

- 7.2 If an application to the Town of Newington Planning and Zoning Commission for subdivision or resubdivision of land involves land containing a wetland or watercourse, the applicant shall, in accordance with section 8-3(g), 8-3c, or 8-26, as applicable, of the Connecticut General Statutes, submit an application for a permit to the Agency in accordance with this section, no later than the day the application is filed with such planning and zoning commission.
- 7.3 The application shall contain such information as is necessary for a fair and informed determination thereon by the Agency.
- 7.4 A prospective applicant may request the Agency to determine whether or not a proposed activity involves a significant impact activity.
- 7.5 All applications shall include the following information in writing or on maps or drawings:
- a.the applicant's name, home and business mailing addresses and telephone numbers; if the applicant is a Limited Liability Corporation or a Corporation the managing member's or responsible corporate officer's name, address, and telephone number;
 - b.the owner's name, mailing address and telephone number and written consent signed by the land owner if the applicant is not the owner of the land upon which the subject activity is proposed;
 - c.the applicant's interest in the land;
 - d.the geographical location of the land which is the subject of the proposed activity and a description of the land in sufficient detail to allow identification of the inland wetlands and watercourses, the area(s) (in acres or square feet) of wetlands or watercourses to be disturbed, soil type(s), **wetland vegetation, and known or possible vernal pools;**
 - e.the purpose and a description of the proposed activity and proposed erosion and sedimentation controls and other management practices and mitigation measures, such as low impact development techniques, which may be considered as a condition of issuing a permit for the proposed regulated activity including, but not limited to, measures to (1) prevent or minimize pollution or other environmental damage, (2) maintain or enhance existing environmental quality, or (3) in the following order of priority: restore, enhance and create productive wetland or watercourse resources;
 - f..... alternatives, including low impact development techniques, which would cause less or no environmental impact to wetlands or watercourses and why the alternative as set forth in the application was chosen; all such alternatives shall be diagramed on a site plan or drawing;
 - g.a site plan showing the proposed activity and existing and proposed conditions in relation to wetlands and watercourses and identifying any further activities associated with, or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands or watercourses;
 - h.names and mailing addresses of adjacent land owners;
 - istatement by the applicant that the applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information;

- 7.11 For any permit application involving property subject to a conservation restriction or preservation restriction, the following shall apply.
- a.for purposes of this section, “conservation restriction” means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land described therein, including, but not limited to, the state or any political subdivision of the state, or in any order of taking such land whose purpose is to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming, forest or open space use.
 - b. for purposes of this section, “preservation restriction” means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land, including, but not limited to, the state or any political subdivision of the state, or in any order of taking of such land whose purpose is to preserve historically significant structures or sites.
 - c.no person shall file a permit application, other than for interior work in an existing building or for exterior work on an existing building that does not expand or alter the footprint of such existing building, relating to property that is subject to a conservation restriction or a preservation restriction unless the applicant provides proof that the applicant has provided written notice of such application, by certified mail, return receipt requested, to the party holding such restriction, including, but not limited to, any state agency that holds such restriction, not later than sixty (60) days prior to the filing of the permit application.
 - d.in lieu of such notice pursuant to subsection 7.11c, the applicant may submit a letter from the holder of such restriction or from the holder’s authorized agent, verifying that the application is in compliance with the terms of the restriction.

7.12 Vernal Pool Indicators

- a. **Direct Indicators: The species listed under categories 1 and 2 require vernal pools for successful reproduction. They are recognized as obligate vernal pool species. They serve as direct indicators for the existence of a vernal pool ecosystem. Documentation of vernal pool utilization by these species is the most reliable method of identifying vernal pool ecosystems.**

Either one of the following categories will confirm the existence of a vernal pool ecosystem:

1. **Category 1 – Vertebrates: The existence of a seasonal or permanent watercourse in a defined depression or basin that lacks a fish population, and shows evidence of breeding and/or development by any of the following obligate vernal pool breeding species:**

- a. **Spotted salamander (*Ambystoma maculatum*)**
- b. **Jefferson salamander complex (*Ambystoma Jeffersonianum* x *laterale* hybrid)**
- c. **Marbled salamander (*Ambystoma opacum*)**
- d. **Wood frog (*Rana sylvatica*)**

As required by this method of identification, evidence of breeding and/or development for these obligate species include one or more of the following:

Breeding:

1. Presence of breeding adults
 - a. Wood frog – breeding chorus and/or mated pairs
 - b. Obligate salamander – courting individuals and/or spermatophores
2. Two or more egg masses of any of the above-named species

Development:

3. Presence of tadpoles or larvae of the above species
4. Presence of transforming larvae and/or juveniles
 - a. Wood frog – tail stub event
 - b. Obligate salamanders – gill remnants evident

2. Category 2 – Invertebrates:

Existence of a seasonal or permanent watercourse in a defined depression basin that lacks a fish population and contains fairy shrimp (Anostraca sp.) or their eggs therein.

- b. **Indirect Indicators:** In the absence of direct indicators (typically when the pool may be dry from late summer through early fall, during winter, or when climatic or landscape conditions inhibit the presence of direct indicators), the following indirect indicators may be used to gauge the likelihood that a watercourse is capable of supporting obligate vernal pool species. To be clear, it is intended that these indicators can be used to conclude, for regulatory purposes, that a particular watercourse is a vernal pool, but they cannot be used to absolutely confirm its presence, as a developing obligate vernal pool species would. The more direct indicators present (especially indirect indicators “a” through “d”), the greater the likelihood that a particular watercourse is a vernal pool capable of supporting obligate vernal pool species.

Existence of a defined depression or basin that exhibits:

- a. Fingernail clam shells, snail shells, caddisfly cases, diving beetles or evidence of other aquatic invertebrates, among leaf litter
- b. Presence of algal strands hanging over branches, or silt-stained leaves attached to overhanging branches, at or below the historic high-water mark of the dry basin
- c. Dense wetland plant growth (e.g. buttonbush, bur-reed, etc.) in the interior of the basin or depression
- d. A distinct waterline on the base of tree trunks or shrubs in the basin
- e. Discolored water-stained “gray” leaf litter within the basin as distinguished from the “brown” leaves on the adjacent upland floor
- f. Hummocks supporting moss, grass, sedges or woody growth along the edge of the basin or depression

- g. Unvegetated, lo-lying area or areas in the basin interior
- h. Standing water or ice in the winter

Items “a” through “d” are to be considered strong indicators that show a higher probability for the existence of a vernal pool that holds water for a long enough period to support breeding and development of obligate species. Items “e” through “h” are indicators that might signify the presence of a vernal pool but do not provide sufficient evidence that the pool holds water long enough to support breeding and development of obligate species.

Section 8 – Application Procedures

- 8.1 All petitions, applications, requests or appeals shall be submitted to the Conservation Commission of the Town of Newington.
- 8.2 The Agency shall, in accordance with Connecticut General Statutes section 8-7d(f), notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which:
- a.any portion of the property affected by a decision of the Agency is within five hundred (500) feet of the boundary of the adjoining municipality;
 - b.a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - c.a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; and/or
 - d.water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the application, petition, appeal, request or plan.
- 8.3 When an application is filed to conduct or cause to be conducted a regulated activity upon an inland wetland or watercourse, any portion of which is within the watershed of a water company as defined in section 25-32a, the applicant shall provide written notice of the application to the water company and the Commissioner of Public Health in a format prescribed by said commissioner, provided such water company or said commissioner has filed a map showing the boundaries of the watershed on the land records of the municipality in which the application is made and with the inland wetlands agency of such municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed not later than seven (7) days after the date of the application. The water company and the Commissioner of Public Health, through a representative, may appear and be heard at any hearing on the application.
- 8.4 The date of receipt of a petition, application, request or appeal shall be the day of the next regularly scheduled meeting of the Agency, immediately following the day of submission to the Agency or its agent of such petition, application, request or appeal or thirty-five (35) days after such submission, whichever is sooner. At that time the application will be assigned a file number.

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: October 6, 2020
Subject: Petition #26-18: Site Plan Approval at 550 Cedar Street (“Cedar Pointe”) in accordance with C.G.S. Sec. 8-30g. Dakota Partners Inc., applicant; Stop & Shop Supermarket Company LLC, owner; Timothy S. Hollister, One Constitution Plaza, Hartford CT, contact.

As I reported several months ago, Judge William Mottolese’s decision on the Dakota Partners appeal of TPZ’s denial of their affordable housing site plan ordered Dakota Partners to:

“promptly engage in a good faith effort with the Connecticut Department of Transportation to seek approval for construction of a sidewalk along or within the Route 135 right-of-way from the Cedar Pointe driveway to the closest practicable point in proximity to the Fastrak bus facility.”

Judge Mottolese prefaced this order by stating that TPZ “shall delay issuance of final site plan approval until completion of the following” efforts; i.e. TPZ not sign off on the site plans until Dakota either succeeds or fails to obtain DOT approval for a sidewalk. Dakota Partners has succeeded, and they made an informal presentation of the sidewalk plans to Town staff and officials on September 15, 2020.

However, after examining the sidewalk plans and walking along Cedar Street with TPZ Chairman Pane, Town Manager Keith Chapman determined that the proposed sidewalk was not acceptable. The design provides little or no separation between pedestrians and Cedar Street westbound traffic, and it only barely complies with ADA requirements.

The Town Manager also noted that there is a CTtransit bus for CCSU students and staff that runs between the East Street CTfastrak station in New Britain and the Myra Cohen Way CTfastrak station in Newington. This route could be adjusted to serve the residents of Cedar Pointe. That would address TPZ concerns about the safety of Cedar Pointe residents walking to the CTfastrak station on Myra Cohen Way. Chairman Pane reported on this during “Commissioners Comments” at the TPZ meeting on September 23, 2020.

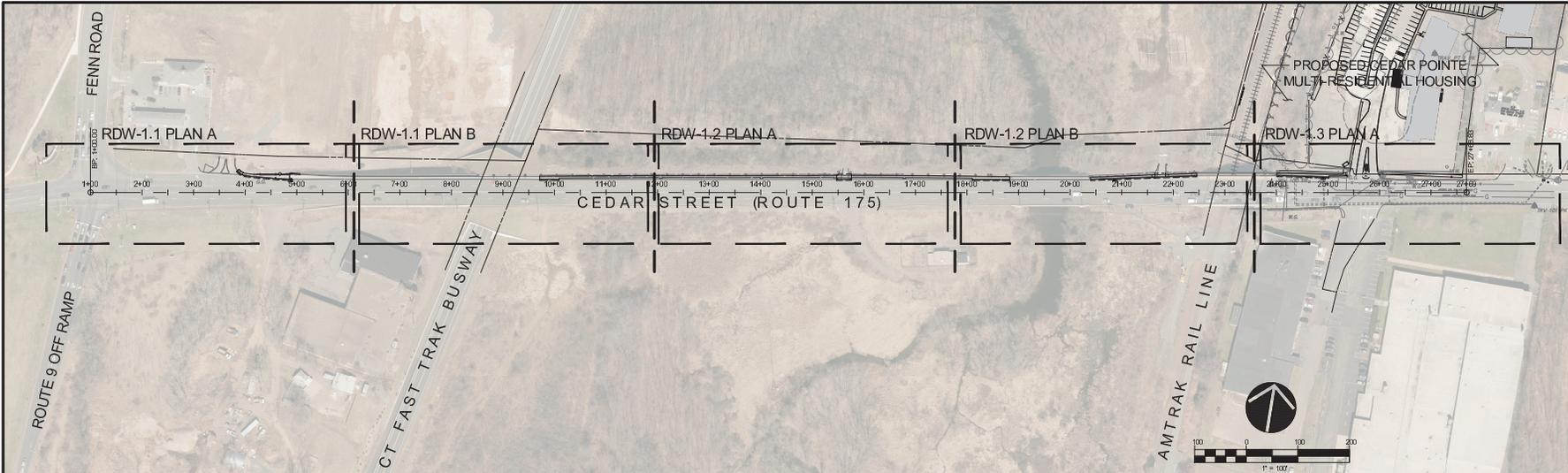
Chairman Pane also mentioned that the proposed sidewalk to Myra Cohen Way will not help Cedar Pointe residents get to the shops and restaurants east of Cedar Point, nor will it help residents walk safely to Newington High School nor to the VA Center on Willard Avenue. Chairman Pane brought up the possibility of a pathway from the back of Cedar Pointe to Alumni Drive, across the rear of the parcels at 512 Cedar Street and 33 Alumni Drive. This was also suggested by Commissioner Woods during the public hearing on August 22, 2018. This pathway would require the cooperation of those neighboring property owners.

In light of the Town Manager's safety concerns, and the possibility of providing for pedestrian safety without the sidewalk, I recommend TPZ direct Dakota Partners to:

1. Contact CTtransit and CCSU about changing the existing CTtransit bus route, and
2. Contact the owners of 512 Cedar Street and 33 Alumni Drive about an easement across the back of those properties for a walkway from Cedar Pointe to Alumni Drive, to be constructed and maintained by Dakota Partners.

If those conversations are successful, TPZ could then drop the sidewalk which Judge Mottolese had supported in his decision. This would be in the best interest of all parties.

cc:
Dakota Partners
file

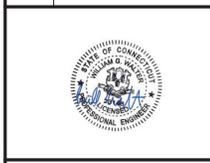


Prepared by:
benesch
 Alfred Benesch & Company
 120 Hebron Avenue
 Glastonbury, Connecticut 06033
 860-633-8341

Prepared for:
DAKOTA PARTNERS

**CEDAR POINTE
 SIDEWALK IMPROVEMENTS
 CEDAR STREET (ROUTE 175)
 NEWINGTON, CT**

DATE:	REVISION:
11/4/19	ISS CONSTRUCTION DOCUMENTS



PROJECT NO.: 70470.00
 SCALE: AS SHOWN
 DATE: 06/2019

DRAWN BY: BENESCH
 CHECKED BY: -

**OVERALL
 SIDEWALK PLAN
 AND NOTES**

DRAWING NO.:
C-8.00

1 OVERALL PLAN
 SCALE: 1" = 100'

PROJECT STANDARDS

- CONSTRUCTION STANDARDS:**
 2018 STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROADS, BRIDGES AND INCIDENTAL CONSTRUCTION FORM 817, INCLUDING ALL SUPPLEMENTS.
- ALL HORIZONTAL GEOMETRY, NORTH ARROW, AND BEARINGS REFER TO NORTH AMERICAN DATUM NAD 83.
- ALL VERTICAL GEOMETRY REFER TO NATIONAL GEODETIC VERTICAL DATUM NGVD 1988.
- 2012 CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL (LATEST EDITION).
- DESIGN STANDARDS:**
 CONNECTICUT DEPARTMENT OF TRANSPORTATION HIGHWAY DESIGN MANUAL, 2003 EDITION WITH LATEST REVISIONS.
- PROPOSED ACCESSIBILITY GUIDELINES FOR PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY (PROWAG), JULY 2011 EDITION.
- A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, 2001 EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO).
- WORK ZONE STANDARDS:**
 2012 CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL (LATEST EDITION).
- ALL WORKERS WITHIN THE RIGHT OF WAY OF ANY PUBLIC ROADWAY ARE REQUIRED TO WEAR HIGH VISIBILITY GARMENTS MEETING THE ANSI 107-2010 CLASS 2 OR 3 STANDARD.
- ROADWAY FUNCTIONAL CLASSIFICATION:**
 CEDAR STREET (ROUTE 175) - URBAN MINOR ARTERIAL

ROADWAY LEGEND (FOR 20-SCALE PLANS)

- RIGHT OF WAY LINE
- - - - PROPOSED SAWCUT LINE (CUT BITUMINOUS CONCRETE)
- PROPOSED CONCRETE CURBING - 6" REVEAL
- PROPOSED CONCRETE PARK CURBING - 4" REVEAL
- 5' — 5' — SEDIMENTATION CONTROL SYSTEM
- METAL BEAM RAIL
- PROPOSED CONCRETE DRIVEWAY RAMP
- PROPOSED CONCRETE SIDEWALK
- PROPOSED TOPSOILING AND TURF ESTABLISHMENT
- EXISTING SPOT GRADE, REFER TO TYPICAL SECTIONS FOR SIDEWALK GRADING

APPROVED BY THE NEWINGTON
 CONSERVATION COMMISSION

PETITION NO. _____

AT THE MEETING OF: _____

CHAIRMAN: _____

DATE: _____

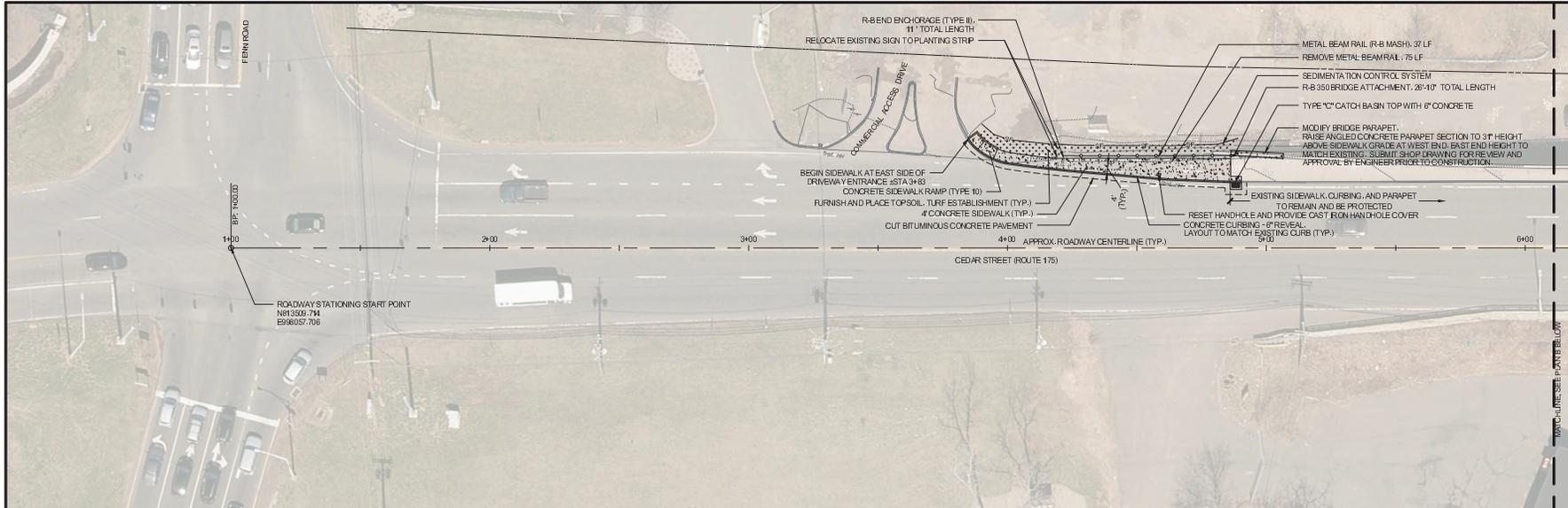
Approved by the Newington Town Plan and Zoning Commission as
 Petition # _____ at the meeting on _____

Date _____ Chairman _____

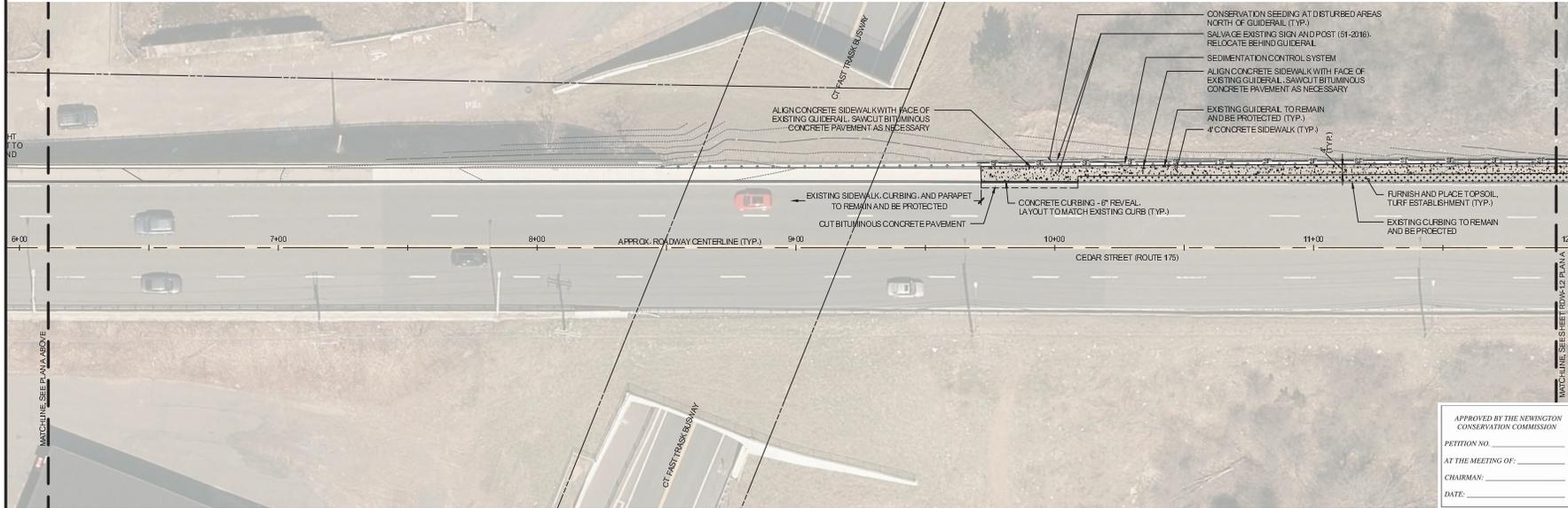
SURVEY REFERENCE

SURVEY INFORMATION FROM PLAN ENTITLED "BOUNDARY/ TOPOGRAPHIC SURVEY"
 PREPARED FOR DAKOTA PARTNERS, SCALE: 1" = 40', DATED MAY 19, 2018 (LATEST REV.
 7-3-19, BY ALFRED BENESCH AND COMPANY.

Pursuant to Section 8-5(i) of the Connecticut General Statutes all work in
 connection with this approved Site Plan shall be completed by _____



1 PLAN A
SCALE: 1" = 20'



2 PLAN B
SCALE: 1" = 20'

Prepared by:
benesch
 Alfred Benesch & Company
 120 Heiron Avenue
 Glastonbury, Connecticut 06033
 860-633-8341

Prepared for:
DAKOTA PARTNERS

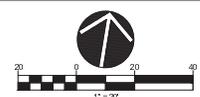
**CEDAR POINTE
 SIDEWALK IMPROVEMENTS
 CEDAR STREET (ROUTE 175)
 NEWINGTON, CT**

DATE	REVISION
11/4/19	90% CONSTRUCTION DOCUMENTS



APPROVED BY THE NEWINGTON CONSERVATION COMMISSION
 PETITION NO. _____
 AT THE MEETING OF: _____
 CHAIRMAN: _____
 DATE: _____

SIDEWALK PLAN
 DRAWING NO.: **C-8.01**



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 _____

**CEDAR POINTE
 SIDEWALK IMPROVEMENTS
 CEDAR STREET (ROUTE 175)
 NEWINGTON, CT**

DATE	REVISION
11/4/19	90% CONSTRUCTION DOCUMENTS

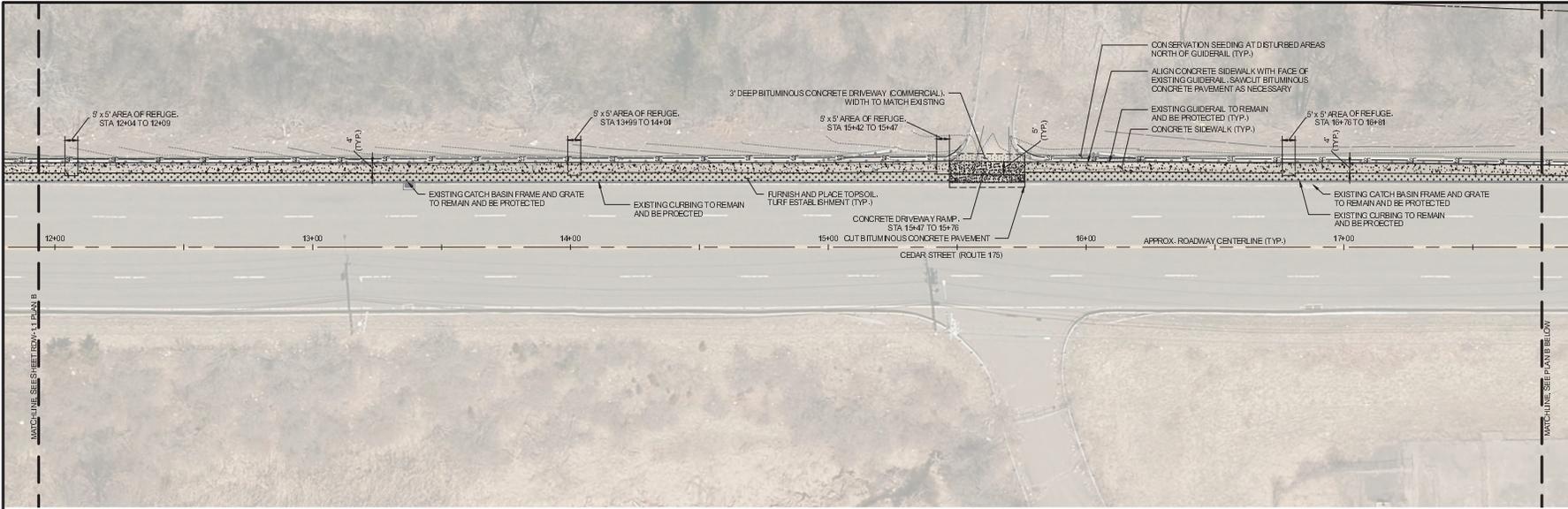


PROJECT NO.: 70470.00
 SCALE: AS SHOWN
 DATE: 08/20/19

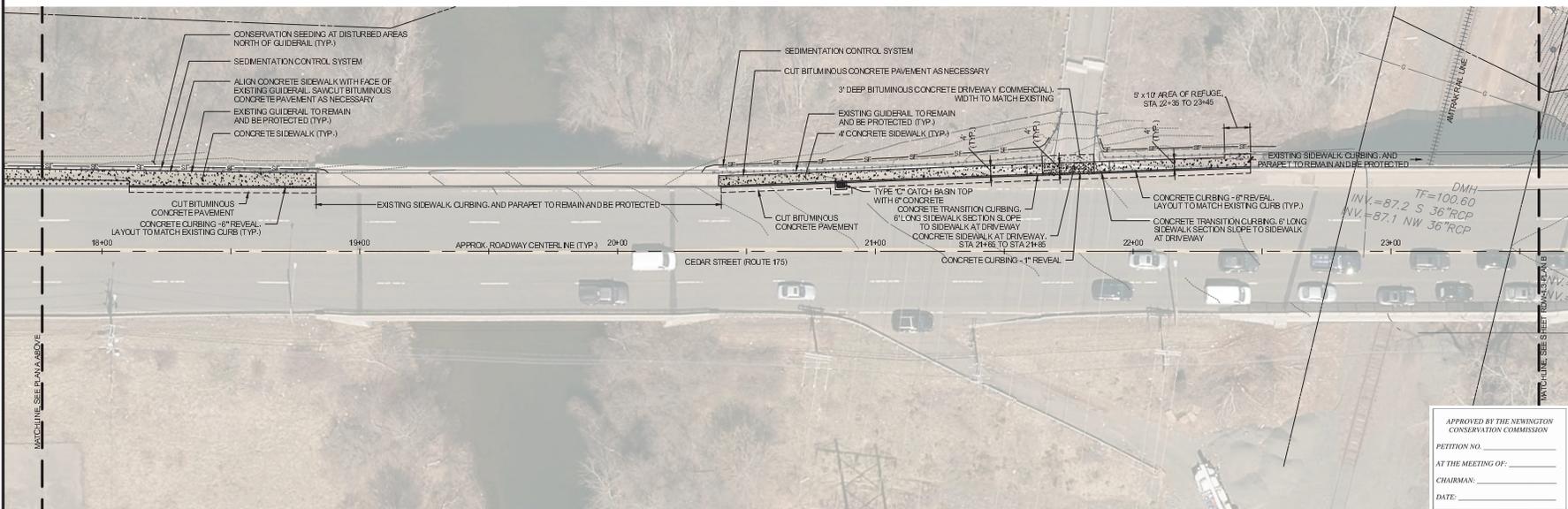
DRAWN BY: BENESCH
 CHECKED BY: -

SIDEWALK PLAN

DRAWING NO.:
C-8.02



1 PLAN A
 SCALE: 1" = 20'



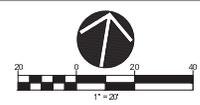
2 PLAN B
 SCALE: 1" = 20'

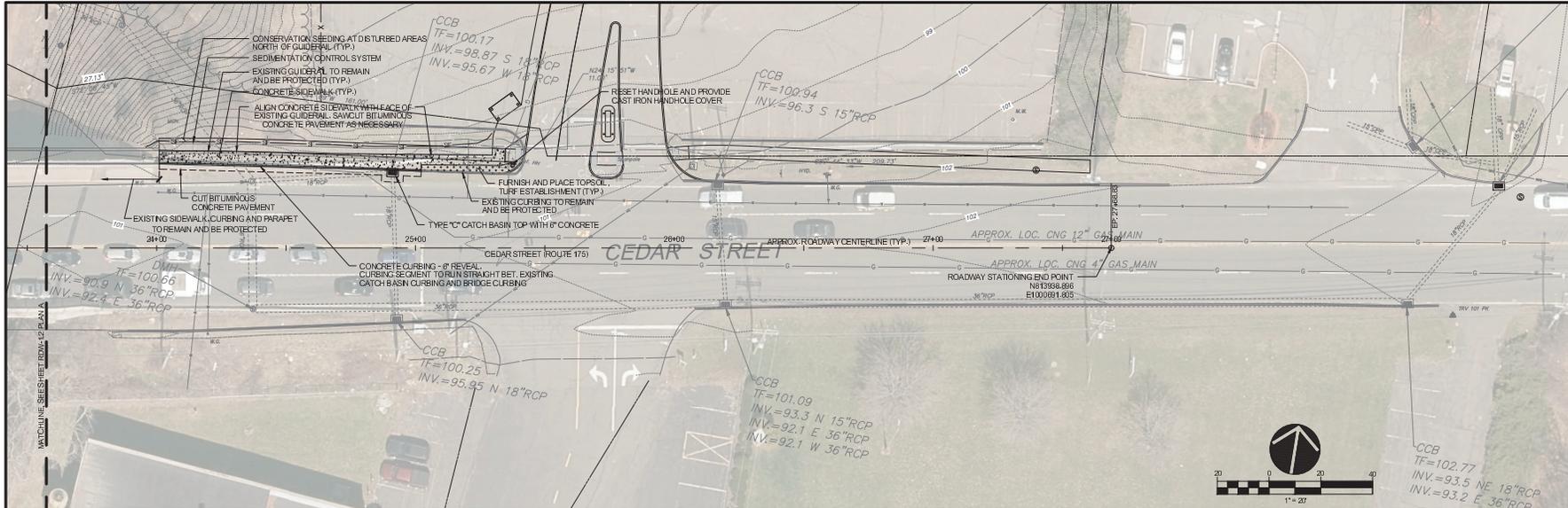
APPROVED BY THE NEWINGTON
 CONSERVATION COMMISSION

PETITION NO. _____
 AT THE MEETING OF: _____
 CHAIRMAN: _____
 DATE: _____

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 _____



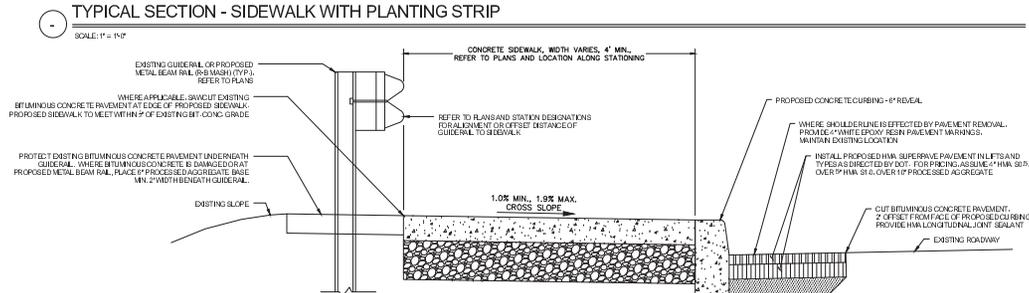
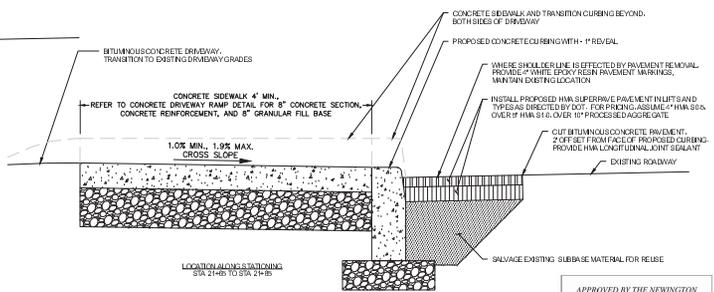
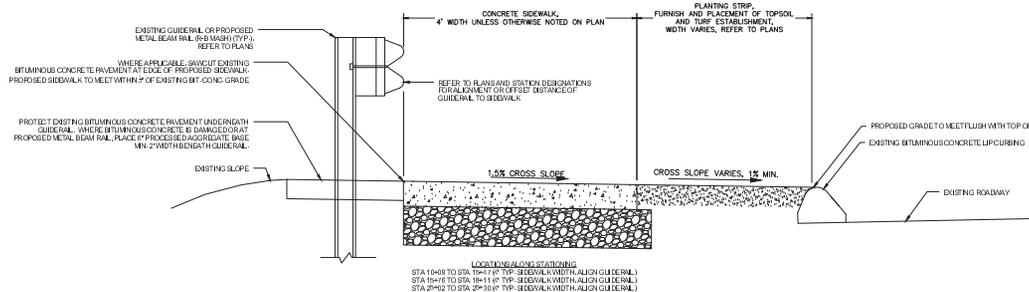


Prepared by:
benesch
 Alfred Benesch & Company
 120 North Avenue
 Glensbury, Connecticut 06033
 860-633-8341

Prepared for:
DAKOTA PARTNERS

**CEDAR POINTE
 SIDEWALK IMPROVEMENTS
 CEDAR STREET (ROUTE 175)
 NEWINGTON, CT**

1 PLAN A
 SCALE: 1" = 20'



DATE:	REVISION:
11/4/19	90% CONSTRUCTION DOCUMENTS



PROJECT NO.: 70470.00
 SCALE: AS SHOWN
 DATE: 06/20/19

**SIDEWALK PLAN
 AND TYPICAL
 SECTIONS**

APPROVED BY THE NEWINGTON CONSERVATION COMMISSION

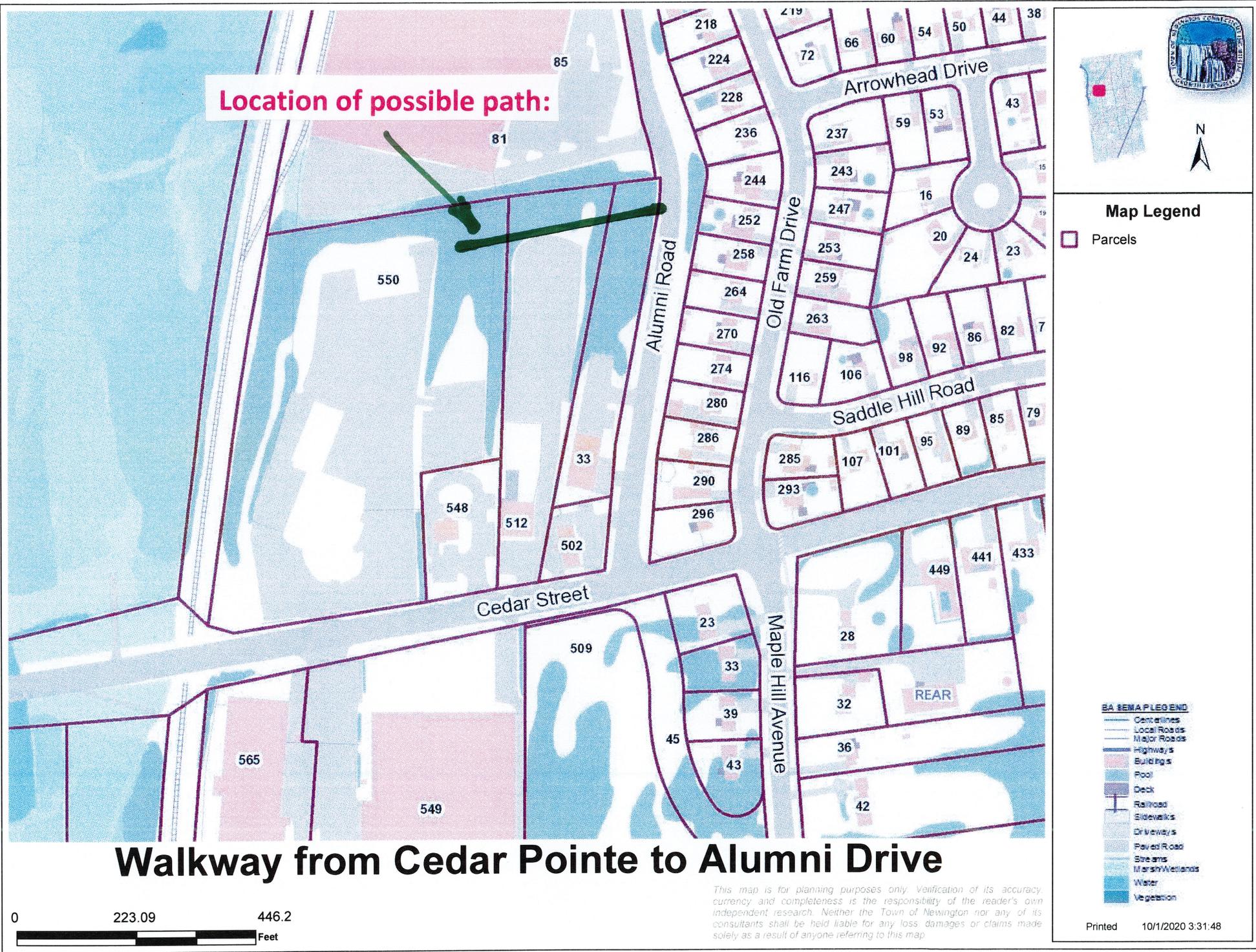
PETITION NO. _____
 AT THE MEETING OF: _____
 CHAIRMAN: _____
 DATE: _____

Approved by the Newington Town Plan and Zoning Commission as
 Petition # _____ at the meeting on _____

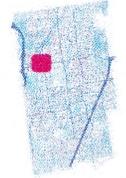
Date _____ Chairman _____

Pursuant to Section 8-5(i) of the Connecticut General Statutes all work in connection with this approved Site Plan shall be completed by _____

DRAWING NO.:
C-8.03



Location of possible path:



Map Legend

□ Parcels

BA SEMA P LEGEND

- Centerlines
- Local Roads
- Major Roads
- Highways
- Buildings
- Pool
- Deck
- Railroad
- Sidewalks
- Driveways
- Paved Road
- Streams
- Marsh/Wetlands
- Water
- Vegetation

Walkway from Cedar Pointe to Alumni Drive

0 223.09 446.2
 Feet

This map is for planning purposes only. Verification of its accuracy, currency and completeness is the responsibility of the reader's own independent research. Neither the Town of Newington nor any of its consultants shall be held liable for any loss, damages or claims made solely as a result of anyone referring to this map.

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: September 29, 2020
Subject: Petition #35-20: Zoning Text Amendment (Section 3.11: Special Permits Allowed in B Business Zone) to Allow Apartments. Wieslaw Kaczynski, 26 Amidon Avenue, Newington CT, owner/applicant/contact.

Description of Petition #35-20:

This is a petition to change the regulations to allow apartments in the Business zone, similar to what is currently allowed in the Town Center zone. If the amendment is approved, apartments would be allowed on the second story of commercial buildings by special permit.

Staff Comments:

The applicant lives in Newington, and owns five other rental properties. One of these properties is a two-story building at the edge of the Business Zone on New Britain Avenue near Berkeley Place. He would like to be able to create two apartments (dwelling units) upstairs in this building, but the Business Zone regulations do not allow dwelling units.

There are a couple of Business zones in Newington that are within 500' of a neighboring town, so the text amendment must be referred to CRCOG no less than 30 days before the public hearing. I therefore recommend the hearing be scheduled for November 11, 2020.

cc:
Applicant
file

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



TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION
APPLICATION FORM

LOCATION OF PROPERTY: 566 NEW BRITAIN AVE ZONE: B
APPLICANT: WIESLAW KACZYNSKI TELEPHONE: 860-922-3180
ADDRESS: 26 AMIDON AVE, NEWINGTON EMAIL: SCORPIONIK13@ICLOUD.COM
CONTACT PERSON: SAME TELEPHONE: SAME
ADDRESS: SAME EMAIL: SAME
OWNER OF RECORD: WIESLAW S. KACZYNSKI & MALGORZATA KACZYNSKI

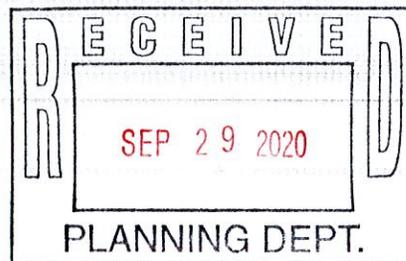
THIS APPLICATION IS FOR (CHECK ONE OF THE FOLLOWING):

- Zoning Map Change from the _____ Zone to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section 3.11. 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): _____

SIGNATURE:

<u>Wieslaw Kacylnski</u>	<u>9/23/20</u>	<u>Wieslaw Kacylnski</u>	<u>9/23/20</u>
APPLICANT	DATE	PROPERTY OWNER	DATE

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



PROPOSED AMENDMENT TO B-BUSINESS ZONE REGULATIONS

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.

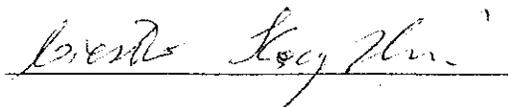
3.11.8 Apartments in Business Buildings

A. Apartments may be permitted on the second and third floors of new and existing buildings.

B. Standards

Apartments provide affordable housing accommodations that fulfill a community need, provided the following conditions are met.

1. In addition to building code requirements, each apartment shall have unobstructed access to the outside, separate from any business use or activity.
2. Sound proofing shall be designed and installed to isolate the normal sounds of business activity from the apartments.
3. At least 1000 square feet of land area is required per dwelling unit.
4. A minimum of 1.5 parking spaces per apartment shall be provided on site, either within or accessible to the parking lot for the commercial portion of the building.



Wieslaw Kaczynski

Date 9/23/20



Business Zones on New Britain Avenue

0 500.00 1,000.0
Feet

This map is for planning purposes only. Verification of its accuracy, currency and completeness is the responsibility of the reader's own independent research. Neither the Town of Newington nor any of its consultants shall be held liable for any loss, damages or claims made solely as a result of anyone referring to this map.



Map Legend

- Parcels
- Zoning**
- B BUSINESS
- B-BT BUSINESS BERLIN 1
- B-TC BUSINESS TOWN C
- CD COMMERCIAL DEVE
- I INDUSTRIAL
- OS OPEN SPACE
- PD PLANNED DEVELOP
- PL PUBLIC LAND
- R-12 RESIDENTIAL
- R-20 RESIDENTIAL
- R-7 RESIDENTIAL
- RD RESIDENTIAL DESIC
- RP RESIDENTIAL PLAN

BA SEMA PLEGEND

- Centrilines
- Local Roads
- Major Roads
- Highways
- Buildings
- Pool
- Deck
- Railroad
- Sidewalks
- Driveways
- Paved Road
- Streams
- Marsh/Wetlands
- Water
- Vegetation

Printed 9/30/2020 2:28:35

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP
Date: October 7, 2020
Subject: **Town Planner Report for October 14, 2020**

1. Status of Old Performance Bonds:

a. As requested at the last TPZ meeting, I asked the Town Attorney if he has any objection to refunding the circa-1978 performance bonds from “Hunter’s Lane” condominium (\$12,813) and “Horizon Hills” condominium (\$8,641) to them. He does not. I recommend TPZ vote to release these bonds.

b. I confirmed the address of the widow of the former owner of “Zag Machine”, and directed the Finance Department to send her the \$4,200.

c. The “MORETCO” bond for \$3,338 is somehow associated with the Manchester consulting firm of Milone & MacBroom. I contacted a planner colleague of mine who works there and asked her to see if they have any records of who this money belongs to. She is working on that.

d. I looked through the very old performance bond files that the Town Clerk said he had at the last meeting, but they are all old obsolete road bonds.

2. “Fee in Lieu of Sidewalks”:

I drafted a “fee in lieu of sidewalk” amendment to the zoning regulations, attached. This amendment does three things:

a. It deletes all of the random sidewalk requirements that are in some zones, but not others;

b. It clearly states the requirement to provide sidewalks at any new multi-family, institutional, or commercial development;

c. It gives TPZ the ability to allow a developer to pay a fee instead of provide sidewalks where appropriate. And by “where appropriate”, I recommend it depend on whether there are any sidewalks nearby currently, and whether sidewalks are not recommended in that neighborhood in the new POCD.

3. POCD Printing Update: The new POCD is in your agenda packet.

cc:
file

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

PROPOSED AMENDMENTS TO THE SIDEWALK REGULATIONS

(Text to be deleted is shown in ~~bold~~ ~~strikeout~~; text to be added is shown in **bold underline**).

Section 3.1 Uses Permitted in Any Zone

Section 3.2 Special Permits Allowed in All Zones

Section 3.3 Uses Permitted in All Residential Zones

Section 3.4 Special Permits Allowed in All Residential Zones

Section 3.5 Uses Permitted in R-20, R-12 and R-7 Residential Zones

Section 3.6 Special Permits Allowed in R-7 Residential Zones

Section 3.7 Special Permits Allowed in R-12 and R-7 Residential Zone

The following uses are declared to possess such special characteristics that each must be considered special permits. They shall only be permitted by the Commission subject to the following conditions and standards, and the provisions of Sections 5.2 and 5.3.

3.7.1 Alternate residential building types

I. **Sidewalks**

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

Section 3.8 Conversion of Rental Apartments to Condominiums or Town Houses

Section 3.9 Uses Permitted in R-D Residential Designed Zone

In R-D Zones, land and buildings may be used and buildings may be altered or erected to be used for the following purposes and no other.

3.9.5 Sidewalks will be installed along the frontage of public streets according to the Town of Newington standard.

Section 3.10 Uses Permitted in B Business Zones

Section 3.11 Special Permits Allowed in B Business Zones

Section 3.12 Uses Permitted in B-TC Business Town Center Zone

3.12.2 Sidewalks

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

Section 3.12A Town Center Village Overlay District (Effective 12-4-02)

Section 3.13 Special Permits Allowed in B-TC Business Town Center Zone

Section 3.14 Uses Permitted in B-BT Business Berlin Turnpike Zone

Section 3.15 Special Permits Allowed in B-BT Business Berlin Turnpike Zone

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)

3.16.5 **Sidewalks**

~~Sidewalks shall be installed along the frontage of public streets when determined to be necessary by the Commission.~~

Section 3.17 Special Permits Allowed in I Industrial Zones

Section 3.18 Uses Permitted in PD Planned Development Zones

Section 3.19 Special Permits Allowed in PD Planned Development Zones

Section 3.19A Transit-Oriented Development (TOD) Overlay District

Section 3.20 Uses Permitted in CD Commercial Development Zones

In CD Commercial Development Zones, land and buildings may be used and buildings may be 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 principal use. (Effective 12-01-01)

3.20.7 **Sidewalks**

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

Section 3.21 Uses Permitted in PL Public Land Zones

In PL Public Land Zones, land and buildings may be used and buildings may be altered or erected to be used for the following purposes and no other.

3.21.5 **Sidewalks**

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

Section 3.23 OS (Open Space) Zone

Section 3.26 Workforce Assisted Housing District (WAHD) (effective 11-01-2019)

3.26.17 ~~Driveway Aisles and Sidewalks:—~~
~~Driveways connecting the development's frontage on Cedar Street to the area of residential units shall be at least twenty-eight (28) feet wide. Interior drive aisles shall be at least twenty-two (22) feet wide. Sidewalks shall be provided throughout a WAH District development.~~

Section 7.4 Design Standards, Site Plan Check List

The Commission shall use the following standards of the review of plans submitted to the Commission for review and action pursuant to Section 5.3 of these Regulations. The construction of any improvements shown on any such plan shall be in accordance with these standards.

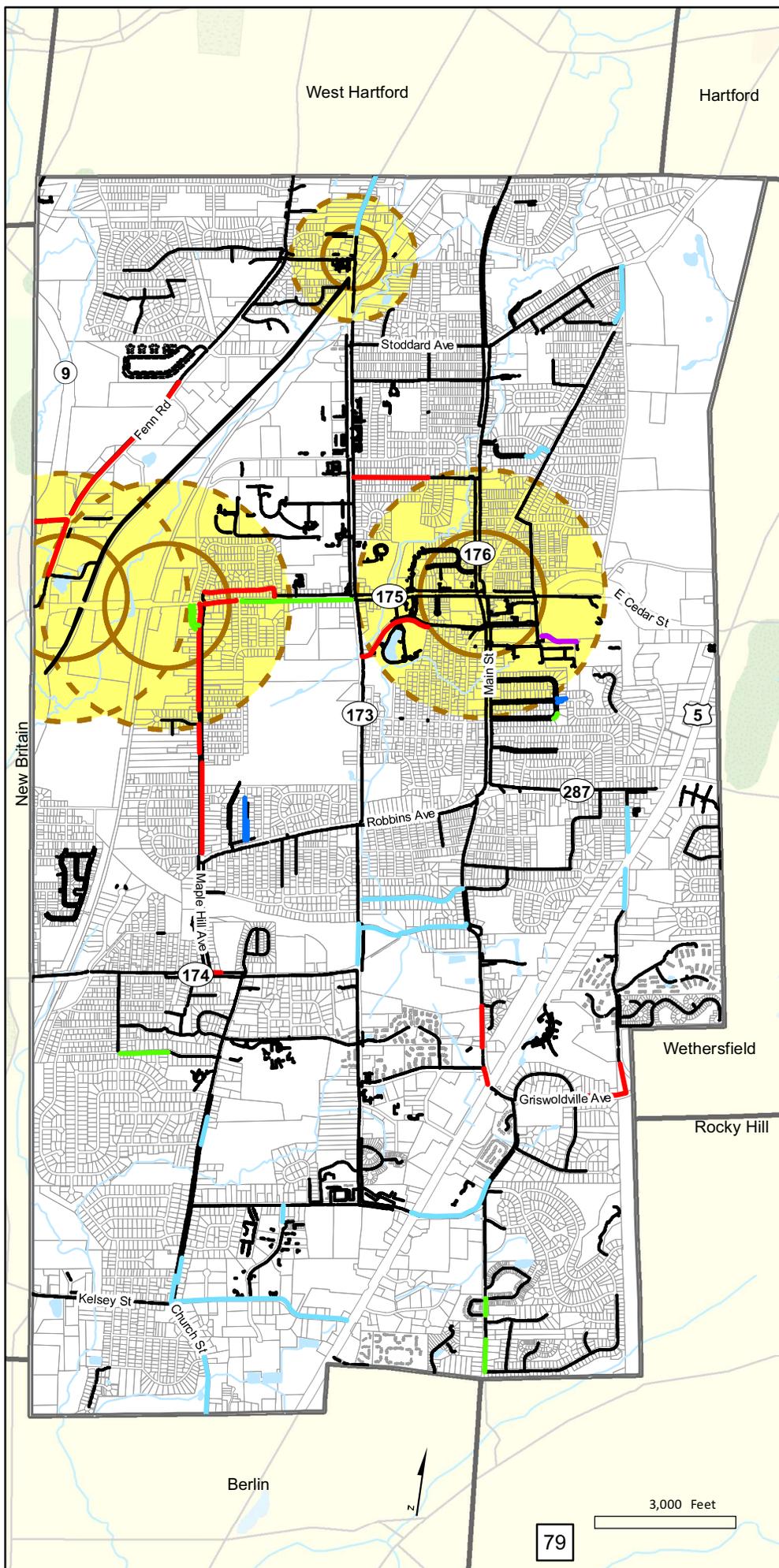
7.4.9 Sidewalks and Curbs

A. Public Streets

1. All sidewalks and curbs in public streets shall be constructed to the standards of the Town of Newington.
2. All sidewalks shall be made of concrete or pervious concrete or pervious pavers or other materials acceptable to the Town, be at least 4 feet wide, and designed in accordance with the Town's construction standards and the American with Disabilities Act.
3. **Any multi-family, institutional or commercial development in a B, B-TC, B-BT, I, CD, or PD zone or multi-family or institutional development in a Residential zone that does not have sidewalks at the time of development shall show sidewalks on the proposed site plan.**
4. **A fee-in-lieu of any sidewalk that is required in accordance with Sec. 7.4.9.A.3 may be approved by TPZ under the following circumstances:**
 - a. **There are no sidewalks within 500' of either side of the property, and**
 - b. **The property is not adjacent to a High-, Medium-, or Low-Priority Future Sidewalk as shown on the "Pedestrian Plan" on Page 79 of the POCD.**
 - c. **The amount of the fee shall be 75% of the cost of the sidewalks as estimated by the Town Engineer.**

Pedestrian Plan

Newington, CT



Pedestrian Facilities

Current Sidewalk

Future Sidewalk

High Priority

Medium Priority

Low Priority

Sidewalk to be removed

Sidewalk to be replaced

Core Area / Walk Radius

Fringe Area / Walk Radius

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP
Date: October 7, 2020
Subject: Newington “Affordable Housing Plan”

For the past several months the Newington Housing Needs Study Committee has been working on an “Affordable Housing Plan” for the Town. Similar to the POCD, the Connecticut General Statutes requires every town to adopt or update an Affordable Housing Plan every five years. Glenn Chalder of Planimetrics was hired to help with this task, with me providing staff support.

The draft Plan contains many observations and recommendation that pertain to TPZ, so the Housing Needs Study Committee would like TPZ’s comments on it. The Plan will ultimately be adopted by the Town Council.

Glenn Chalder will be at the October 14, 2020 meeting to provide an overview of the Plan, and to answer any questions you may have. This is very much still a draft – the Housing Need Study Committee is looking forward to TPZ’s recommendations to make it better.

cc:
file

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

NEWINGTON

Affordable Housing Plan



Town of Newington, CT

DRAFT For Community Review – September 23, 2020

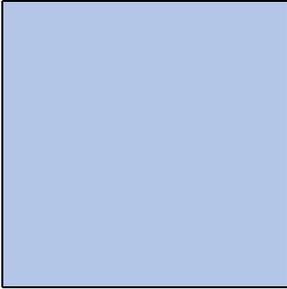


TABLE OF CONTENTS

Cover Picture

The picture on the front of this Affordable Housing Plan represents the concept of a “housing ladder.”

The phrase “housing ladder” refers to a concept used in housing policy discussions where people may first rent an apartment or buy a small house and then move up the ladder to a bigger or more expensive home when they need or want a different housing choice and have enough money to do so.

The housing ladder also works the other way in that people may move from a larger home to a smaller and/or less expensive home as their lifestage / lifestyle or economic circumstance changes.

Overall, everyone can have a different path on the housing ladder provided housing choices are available.

1.	INTRODUCTION.....	1
1.1.	Overview.....	1
1.2.	Reasons For Studying Housing.....	2
2.	INVENTORY & ASSESSMENT	3
2.1.	Physical Characteristics.....	3
2.2.	Occupancy Characteristics.....	5
2.3.	Cost Characteristics	7
2.4.	Affordability Characteristics	8
2.5.	State-Defined Affordable Housing.....	13
2.6.	Existing Zoning Regulations	16
2.7.	Summary Of Findings.....	18
3.	STRATEGIES	19
3.1.	Encourage Housing Meeting Community Goals	19
3.2.	Adopt Inclusionary Zoning Provisions.....	25
3.3.	Address Housing Needs Of An Aging Population.....	26
3.4.	Address Needs Of Lower Income Households.....	31
3.5.	Consider Other Housing Configurations	35
3.6.	Help Address Special Housing Needs.....	36
3.7.	Retain Existing Housing That Addresses Needs.....	37
3.8.	Address Other Housing Issues	38
3.9.	Implement The Affordable Housing Plan	40

TOWN OF NEWINGTON



Greetings!

For many years, Newington has had an interest in understanding whether its housing stock aligns with the needs of residents of the community and the region. This includes a number of plans and studies:

- 1958 Plan of Development
- 1973 Plan of Development
- 1977 Housing Study
- 1995 Plan of Conservation And Development
- 2008 Housing Needs Committee Report
- 2010-20 Plan of Conservation And Development
- 2015 Housing Needs Study Committee Report
- 2020-30 Plan of Conservation And Development

Recently, the legislature established a requirement for each of the 169 municipalities in Connecticut to adopt an "affordable housing plan" by July 2022 (CGS Section 8-30j). The plan is required to:

- Specify how the municipality intends to increase the number of affordable housing developments in the municipality, and
- Be updated at least once every five years.

In 2020, the Town asked the Housing Needs Study Committee to address this requirement. This Affordable Housing Plan is the result of their efforts.

Following a public hearing held on <<date>>, this Affordable Housing Plan was adopted by the Town Council on <<date>>.

Sincerely,

Town Council

Town of Newington

Housing Needs Study Committee (alphabetical)

Carol Anest

Town Council

Michael Camillo

Town Council

William Hall

Interfaith Housing Corp.

Maureen Lynch

Comm. on Aging / Disabled

Craig Minor

Town Planner

Stephen Woods

Town Plan & Zoning Comm.

What Is “Affordable Housing”?

In public policy, the term “affordable housing” is generally used to refer to:

Housing which is priced so that persons and families earning eighty per cent or less of the area median income pay thirty per cent or less of their annual income on housing.

This can include:

- Market-rate housing which sells or rents at an affordable price - called “naturally occurring affordable housing (NOAH), and
- Housing which is encumbered in some way to sell or rent at affordable price levels.

Certain State statutes (such as CGS 8-30g) only consider housing which is encumbered in some way to sell or rent at affordable price levels:

- Governmentally assisted housing developments,
- Rental units occupied by households receiving tenant rental assistance,
- Ownership units financed by Connecticut Housing Finance Authority (CHFA) mortgages or United States Department of Agriculture (USDA) mortgages for low/moderate income persons and families,
- Housing units subject to deed restrictions limiting the price to where persons or families earning eighty percent or less of the area median income pay thirty per cent or less of their income for housing.

For this Plan, both types of affordable housing will be considered:

- Naturally occurring affordable housing, and
- Housing that is restricted to affordable price levels.

What Is “Market Rate Housing”?

The term “market rate housing” is housing that sells at fair market value which is generally:

A price at which buyers and sellers with a reasonable knowledge of pertinent facts and not acting under any compulsion are willing to complete a transaction.

INTRODUCTION

1

1.1. Overview

Addressing changing housing needs and promoting diverse housing opportunities are priorities for the Town of Newington. While Newington already has a diverse housing stock, the Town has come to realize that the existing housing stock, which has served us so well over the years, does not meet the housing needs of everyone – even for some people who live here already.

For example, existing housing units may not be well configured to meet the housing needs of older persons and people, young and old, earning *less than the average income* have a harder time finding housing to meet their needs at a price they can afford. This can include:

- young adults (including people who grew up in Newington),
- young families just venturing out on their own,
- people working at businesses and industry in Newington,
- workers providing essential services to residents and businesses, and
- people who may have lived here their whole lives and now need or want smaller and less expensive housing so they can stay in Newington.

This Affordable Housing Plan is intended to help address this situation. The Plan looks at whether there will be affordable housing in the community that will be available for people who may need it at the time it is needed. Planning for housing needs is important since:

- Housing cannot be easily produced at the moment it is needed, and
- The lead times (planning, design, construction) are so long.

As a result, Newington needs to plan **today** for the affordable housing needs of the future.

“Decent, affordable housing should be a basic right for everybody in this country.

The reason is simple: without stable shelter, everything else falls apart.”

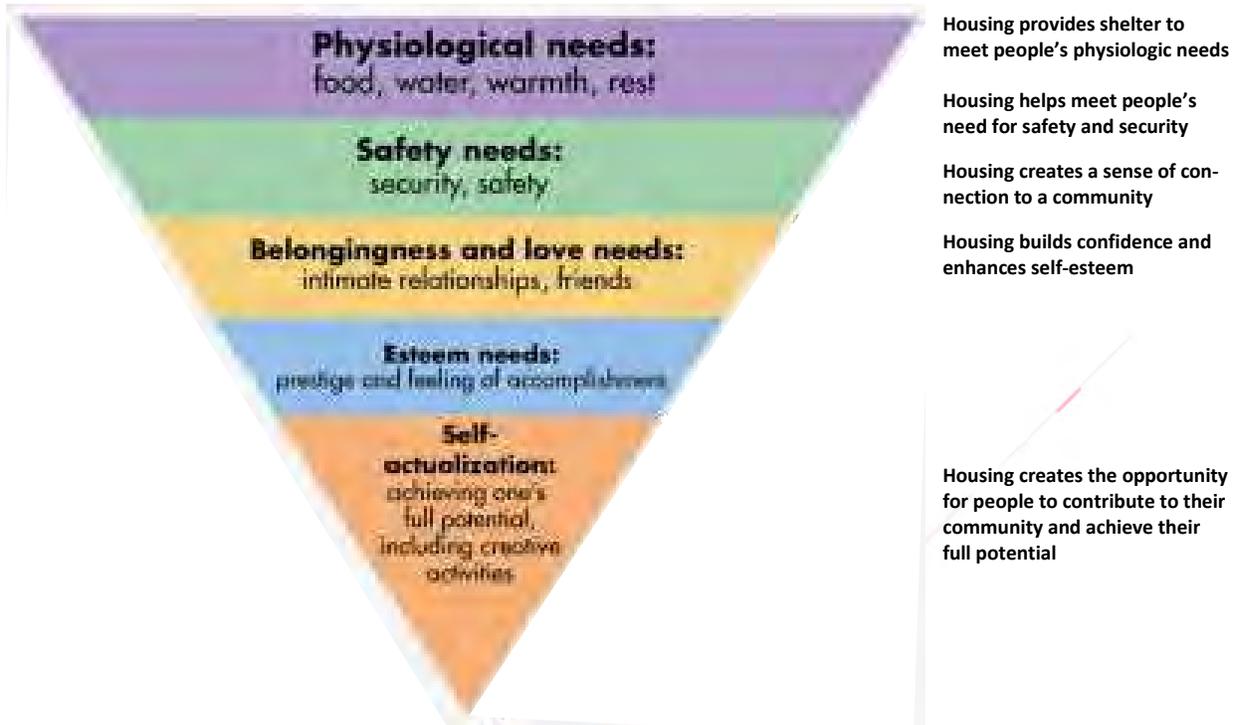
Matthew Desmond
American Sociologist

OVERALL GOAL

Seek to provide for housing opportunities in Newington for all people.

1.2. Reasons For Studying Housing

Everyone needs housing and for a variety of reasons. In fact, housing plays a part in almost every level of Maslow's "hierarchy of human needs":



In addition, there are other relevant considerations:

1. State statues require the adoption of an Affordable Housing Plan by June 2022 and an update every five years thereafter (CGS 8-30j).
2. The statutory authority to enact and maintain Zoning Regulations includes the requirements that such regulations "encourage the development of housing opportunities" and "promote housing choice and economic diversity in housing, including housing for both low- and moderate-income households ... (CGS 8-2)
3. The statutory requirement for a Plan Of Conservation And Development (POCD) requires that the commission ... shall consider the ... the need for affordable housing, ... [and] the needs of the municipality including, but not limited to ... housing (CGS 8-23(d)) and make provision for the development of housing opportunities ... for all residents of the municipality and the planning region ... [and] promote housing choice and economic diversity in housing, including housing for both low and moderate income households ... (CGS 8-023(e)).

INVENTORY & ASSESSMENT



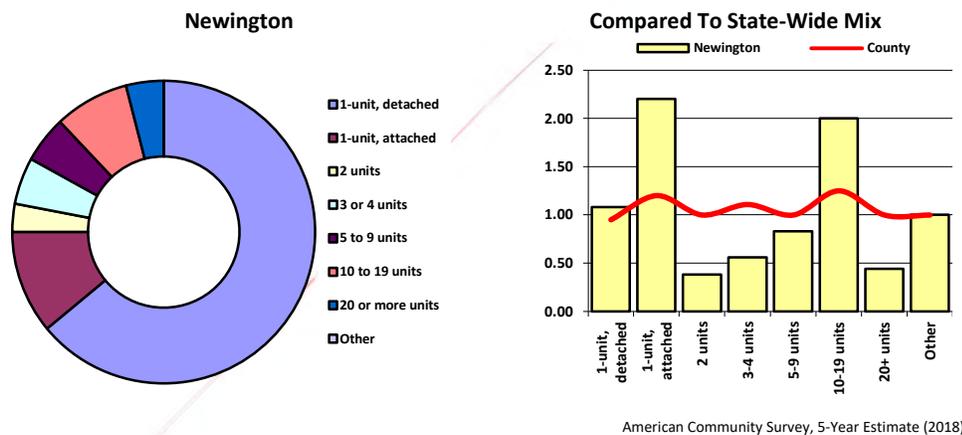
2.1. Physical Characteristics

According to the American Community Survey (ACS), Newington had about 12,786 housing units in 2018 (the most recent year that data is available for).

Housing Type – The ACS estimates that about two-thirds of all housing units in Newington are detached one-family structures. This is slightly higher than Hartford County and the state but lower than some nearby communities. In terms of the state-wide housing mix, Newington has:

- More 1-unit attached units (townhouses) and 10-19-unit buildings.
- Fewer 2-9-unit buildings and 20+ unit buildings.

About 2/3rds of all housing units in Newington are single-family detached homes ...



Percent 1-Unit Detached	
Berlin	79%
Wethersfield	76%
West Hartford	66%
Newington	65%
Connecticut	59%
Hartford County	56%
Rocky Hill	47%
New Britain	31%
Hartford	15%

	Newington	Share	County	State
1-unit, detached	8,184	64%	56%	59%
1-unit, attached	1,443	11%	6%	5%
2 units	393	3%	8%	8%
3 or 4 units	587	5%	10%	9%
5 to 9 units	691	5%	6%	6%
10 to 19 units	973	8%	5%	4%
20 or more units	505	4%	9%	9%
Other	10	0%	0%	0%

American Community Survey 5-Year Estimates (2018) / Table B25024

CERC Town Profiles, 2019

More than half of all housing units in Newington were built before 1970 and may not reflect housing needs of today or the future ...

Age of Structure – Housing construction in Newington has slowed considerably since the 1960s and 1970s (from over 250 units per year to less than 30 units per year) due to less available land and other factors. With more than half of Newington’s housing units built before 1970, the “typical” housing unit may reflect the desires of a different era rather than the age composition of today.

YEAR STRUCTURE BUILT	Newington	Share	County	State
Built 2010 or later	172	1%	1%	2%
Built 2000 to 2009	729	6%	6%	7%
Built 1990 to 1999	779	6%	7%	8%
Built 1980 to 1989	1,432	11%	12%	13%
Built 1970 to 1979	2,919	23%	13%	13%
Built 1960 to 1969	2,208	17%	15%	14%
Built 1950 to 1959	2,584	20%	17%	15%
Built 1940 to 1949	807	6%	8%	7%
Built 1939 or earlier	1,156	9%	20%	22%

American Community Survey 5-Year Estimates (2018) / Table B25034

Physical Deficiencies – Overall, the *estimated* number of units in Newington lacking complete plumbing facilities (without hot and cold running water, a flush toilet, or a bathtub or shower) is low. The *estimated* number of units lacking complete kitchen facilities (without a sink with a faucet, a stove or range, or a refrigerator) is somewhat higher and this may reflect the use of some motels on the Berlin Turnpike for housing.

PHYSICAL DEFICIENCIES	Newington	Share	County	State
Incomplete plumbing facilities	7	0.1%	0.3%	0.3%
Incomplete kitchen facilities	112	0.9%	0.7%	0.6%

American Community Survey 5-Year Estimates (2018) / Table B25047 / Table B25051

1-Unit, Detached



1-Unit, Attached



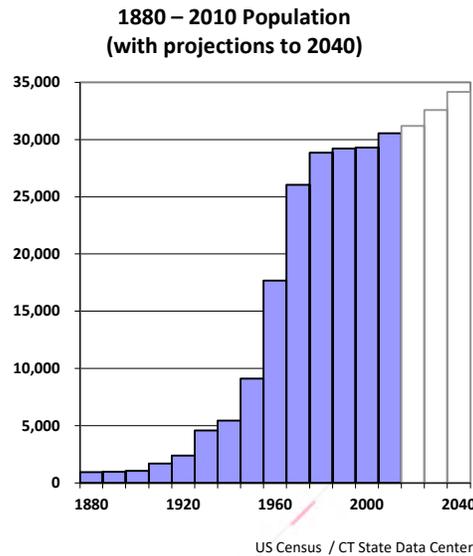
Multi-Unit Structure



2.2. Occupancy Characteristics

Population Growth – Population projections prepared by the State of Connecticut suggest that the number of Newington residents will increase in the future if recent trends continue. This population growth could be accommodated through more people in existing units, and/or creating more housing units.

Overall, more units and/or different units for a variety of household types, sizes, ages, tenures, and income groups may be needed in the future.



Newington's population is growing and more housing units may be needed ...

Age Composition – At the same time, Newington's age composition is changing. Due to improvements in lifestyles and healthcare, the number of residents in the older age groups is increasing. The median age in Newington (half the residents are older, and half are younger) is older than it has ever been.

Older persons and households have different housing needs and desires than younger persons and families.

Newington's Median Age	
1960	32.6
1970	30.2
1980	34.5
1990	39.0
2000	41.9
2010	43.6
2020 (projected)	42.6
2030 (projected)	41.1
2040 (projected)	41.0

US Census, Planimetrics

Newington's age composition is changing with more older residents (with different housing needs) than ever before ...

With smaller household sizes, people may want smaller (or less expensive) units than were built in the past ...

Household Size - Over time, the number of people per occupied housing unit in Newington has been decreasing. In 2010, about 62 percent of all housing units in Newington were occupied by one or two people. Only about 3 in 8 households contained more than two residents. With smaller household sizes, people may want or need smaller (and less expensive) units than were built in the past.

Average Household Size	
Year	People/HH
1960	3.55
1970	3.40
1980	2.77
1990	2.56
2000	2.44
2010	2.43

Historic - 1900 - 2010 Census.

Tenure – Newington has a higher percentage of owner-occupied housing units compared to Hartford County and the state. In terms of length of residency, Newington has a higher share of longer-term residents compared to Hartford County and the State.

TENURE	Newington	Share	County	State
Owner-occupied units	9,586	77%	65%	66%
Renter-occupied units	2,808	23%	35%	34%

American Community Survey 5-Year Estimates (2018) / Table B25003

YEAR MOVED INTO UNIT	Newington	County	State
Moved in 2010 or later	31%	41%	40%
Moved in 2000 to 2009	30%	27%	27%
Moved in 1990 to 1999	16%	14%	15%
Moved in 1989 or earlier	23%	17%	18%

American Community Survey 5-Year Estimates (2018) / Table B25038

Crowded Units– Newington has some “crowding” (where Census data indicates more than one person *per room*) compared to Hartford County although it is less than the state. Again, this may reflect the use of some motels on the Berlin Turnpike for housing.

OCCUPANTS PER ROOM (O/R)	Newington	Share	County	State
Units with 1.01 to 1.50 O/R	164	1.3%	1.2%	1.3%
Units with more than 1.51 O/R	38	0.3%	0.5%	0.5%

American Community Survey 5-Year Estimates (2018)

2.3. Cost Characteristics

Housing Values / Sale Prices – The American Community Survey reported that the median house value in Newington (what property owners feel their housing unit would sell for) was lower (more affordable) than the county and the state and a number of surrounding communities. The data on housing value reflects what all homeowners feel their housing is worth (all units) whereas the data on sales price reflects the median price of housing units that sold (a subset).

HOUSE VALUE	Newington	Share	County	State
Median House Value	\$232,700		\$237,700	\$272,700
Less than \$50,000	175	2%	2%	2%
\$50,000 to \$99,999	251	3%	3%	3%
\$100,000 to \$149,999	800	8%	12%	9%
\$150,000 to \$199,999	2,027	21%	20%	15%
\$200,000 to \$299,999	4,479	47%	32%	27%
\$300,000 to \$499,999	1,717	18%	24%	27%
\$500,000 to \$999,999	92	1%	7%	12%
\$1,000,000 or more	45	1%	1%	5%

American Community Survey 5-Year Estimates (2018)

Gross Rent – The American Community Survey reported that the median gross rent being paid in Newington (utility payments are factored in) was higher (less affordable) than the county and the state and a number of surrounding communities.

GROSS RENT	Newington	Share	County	State
Median monthly rent	\$1,235	-	\$1,076	\$1,156
<i>No rent paid</i>	147	-	-	-
Less than \$500	192	7%	12%	10%
\$500 to \$999	435	16%	31%	26%
\$1,000 to \$1,499	1,496	56%	42%	38%
\$1,500 to \$1,999	455	17%	12%	16%
\$2,000 to \$2,499	42	2%	2%	5%
\$2,500 to \$2,999	0	0%	1%	2%
\$3,000 or more	41	2%	1%	2%
Renter-occupied units w/rent	2,661	100%	100%	100%

American Community Survey 5-Year Estimates (2018)

Housing values and sale prices in Newington are lower (and more affordable) than some nearby communities ...

Median Sales Price

West Hartford	\$326,000
Berlin	\$281,100
Connecticut	\$270,100
Rocky Hill	\$264,100
Wethersfield	\$250,700
County	\$235,300
Newington	\$229,900
Hartford	\$162,300
New Britain	\$156,800

CERC Town Profiles, 2019

Rental rates in Newington are higher than some nearby communities ...

Median Rent

Rocky Hill	\$1,337
West Hartford	\$1,258
Newington	\$1,172
Connecticut	\$1,123
Berlin	\$1,118
Wethersfield	\$1,069
County	\$1,044
New Britain	\$956
Hartford	\$935

CERC Town Profiles, 2019

Affordability Explained

Housing is generally considered to be “affordable” if a household spends less than 30 percent of its income on housing (rent, mortgage, taxes, utilities, etc.).

While upper income households and typical income households may be able to afford to spend more than this on housing, lower income households generally cannot since doing so would take money away from food, transportation, healthcare, and other important expense categories.

Newington has thousands of rental and ownership units naturally affordable to persons earning 80% or less of the area median income

...

2.4. Affordability Characteristics

Housing affordability is an issue throughout Connecticut and communities are recognizing that community vitality, community diversity, and economic development can all be enhanced by having a housing portfolio which includes choices of housing units which are more affordable.

Using the methodology on page 9, the overall affordability of the existing housing stock can be evaluated.

Affordability of Existing Units Based On Census Data

Rental Units - When what people can afford to pay for gross rent (page 9) is compared to what people report paying (page 7), it becomes apparent that there are ***thousands of rental units*** in Newington which would be considered naturally affordable (even if the unit includes more bedrooms than the household might need):

Maximum Gross Rent	Estimated Number Of Rented Units Below That Value	Percent Of 2010 Housing Count
\$1,370	1,734 units	13.3%
\$1,570	2,187 units	16.8%
\$1,760	2,360 units	18.1%
\$1,960	2,542 units	19.5%
\$2,110+	2,661 units	20.5%

Planimetrics Based On HUD Income Data / American Community Survey, 5-Year Estimate (2018)

Owner Units– Similarly, comparing what housing price people can afford to pay at current financing terms after considering mortgage, taxes, insurance, etc. (page 9) compared to what people believe their house is worth (page 7), it becomes apparent that there are ***thousands of ownership units*** in Newington which would be considered naturally affordable (even if the unit includes more bedrooms than the household might need):

Maximum Sale Price	Estimated Number Of Owned Units Below That Value	Percent Of 2010 Housing Count
\$150,000	1,226 units	9.4%
\$169,000	1,996 units	15.38%
\$184,000	2,604 units	20.0%
\$197,000	3,131 units	24.1%
\$2,110+	2,661 units	20.5%

Planimetrics Based On HUD Income Data / American Community Survey, 5-Year Estimate (2018)

In addition, if a low-income household had enough funds for a 20% down payment, they could then afford housing priced about 20 percent higher than the purchase prices indicated above.

Estimating Affordability Of Existing Housing

A key measure of housing affordability is whether housing is available which is affordable to a household earning 80 percent or less of the area median income (generally considered to be lower income households). The calculation for Newington looks like this (2019 HUD data for Hartford metro region):

	Area Median Income A	80% of Median Income A x 0.8	30% Share For Housing B x 0.3	Monthly Allotment C / 12
1 -person HH	\$68,530	\$54,824	\$16,450	\$1,370
2 -person HH	\$78,320	\$62,656	\$18,800	\$1,570
3-person HH	\$88,110	\$70,488	\$21,150	\$1,760
4-person HH	\$97,900	\$78,320	\$23,500	\$1,960
5+ -person HH	\$105,732	\$84,586	\$25,380	\$2,110+

Planimetrics Based On HUD Income Data (2020)

The monthly housing allotment calculated above is the amount that could be spent on the maximum monthly gross rent (utilities included) where the number of bedrooms is one less than the size of the household.

	Maximum Gross Rent
Studio	\$1,370
1 Bedroom	\$1,570
2 Bedrooms	\$1,760
3 Bedrooms	\$1,960
4+ -Bedrooms	\$2,110+

Planimetrics Based On HUD Income Data (2020)

The monthly housing allotment calculated above can also be roughly translated to a maximum purchase price at prevailing financing terms (3.5 percent, fixed rate, 30-year mortgage, and assuming 100% financing and private mortgage insurance) where the number of bedrooms is one less than the size of the household. The purchase price was calculated using Zillow mortgage calculator after deducting utilities, property insurance, and taxes (at an equalized mill rate of 2.5% for Newington) from the monthly allotment.

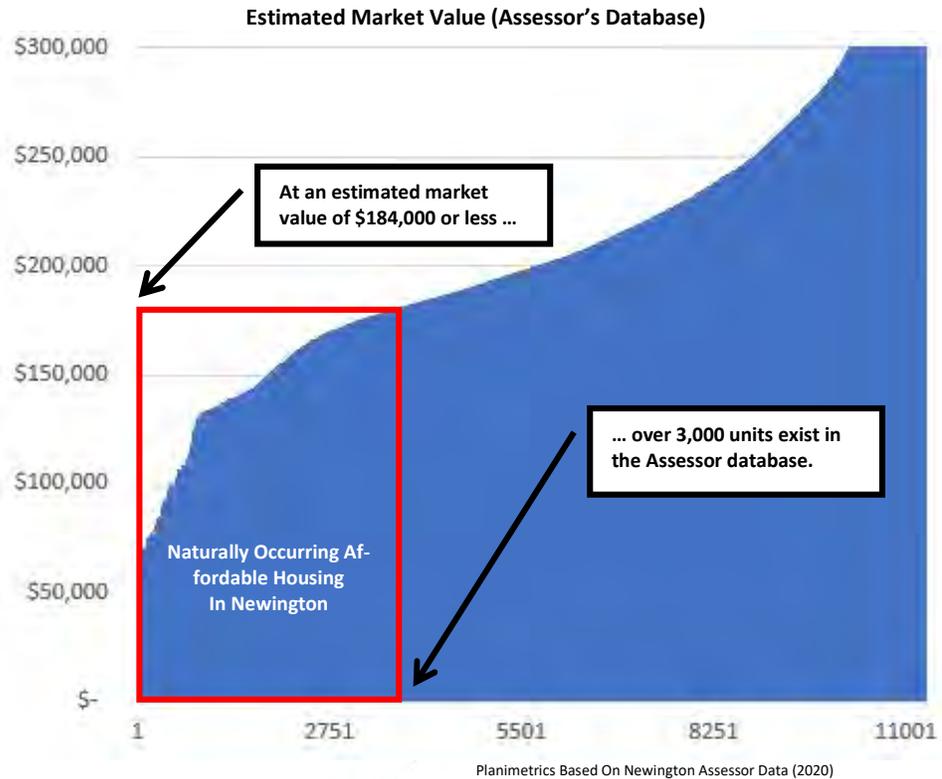
	Monthly Allotment	Allowances		Net For	
		Utilities	Insurances, Taxes, Etc.	Principal / Interest	Maximum Sale Price
Studio	\$1,370	\$210	\$486	\$674	\$150,000
1 Bedroom	\$1,570	\$270	\$541	\$759	\$169,000
2 Bedrooms	\$1,760	\$350	\$584	\$826	\$184,000
3 Bedrooms	\$1,960	\$450	\$925	\$885	\$197,000
4+ -Bedrooms	\$2,110+	\$600+	\$625+	\$885	\$197,000

Planimetrics Based On HUD Income Data (2020), DOH Allowance Estimates (2020), CERC Equalized Mill Rate (2020), and Zillow.

The Assessor's database also shows that Newington has many naturally affordable home ownership units ...

Affordability of Owner Units Based On Assessor Data

This finding of a considerable amount of naturally occurring affordable housing (ownership, not rental) is also supported by 2020 information from the Assessor's database of estimated market values.



Overall, almost 3,500 Newington households are spending more than 30 percent of their income on housing ...

Affordability Based On Cost Burden

Housing affordability can also be assessed by comparing actual housing costs to actual incomes. A household is considered to be cost burdened if more than 30% of their income goes towards housing costs.

Overall, almost 3,500 Newington households are spending more than 30 percent of their income on housing.

COST BURDEN	RENTER		OWNER w/ Mort.		OWNER No Mort.	
	Newington	Share	Newington	Share	Newington	Share
Less than 25.0 %	1,095	42%	3,647	60%	2,670	77%
25.0 to 29.9 %	425	16%	674	11%	161	5%
30.0 to 34.9 %	212	8%	428	7%	169	5%
35.0 % or more	898	34%	1,274	21%	502	14%

American Community Survey 5-Year Estimates (2019)

Older Households - Census data indicates that many elderly households have limited income and/or may be cost-burdened. Even though information from the American Association of Retired Persons (AARP) suggests that many households would prefer to age in place in their current homes, this could change quickly depending on health or financial circumstances, especially for those with lower incomes and/or higher cost burdens.

Older persons and households, especially those that are income constrained or cost-burdened, may want the opportunity or choice to transition to less expensive housing ...

Household Income By Householder Age Group							
OWNERS	\$0-20K	\$20-40K	\$40-60K	\$60-80K	\$80-100K	> \$100K	Total
20-29	3%	3%	14%	8%	13%	58%	100%
30-54	1%	4%	8%	9%	12%	66%	100%
55-64	2%	7%	7%	9%	17%	58%	100%
65-79	7%	16%	16%	15%	11%	35%	100%
80 +	18%	32%	21%	9%	6%	14%	100%
RENTERS							
20-29	3%	18%	30%	24%	14%	11%	100%
30-54	13%	14%	19%	14%	17%	23%	100%
55-64	19%	13%	12%	12%	24%	20%	100%
65-79	40%	29%	17%	7%	3%	5%	100%
80 +	39%	40%	11%	7%	2%	1%	100%

US Census / PUMS Micro-Sample Data

Cost Burden by Householder Age Group				
OWNERS	Less than 30%	30% To 34%	More Than 35%	Total
20-29	81%	6%	13%	100%
30-54	82%	5%	12%	100%
55-64	82%	4%	13%	100%
65-79	72%	5%	23%	100%
80 and older	56%	7%	36%	100%
RENTERS				
20-29	57%	7%	36%	100%
30-54	65%	8%	27%	100%
55-64	66%	5%	29%	100%
65-79	42%	14%	44%	100%
80 and older	34%	13%	53%	100%

US Census / PUMS Micro-Sample Data

ALICE Report

In 2020, the United Way issued an “ALICE” report on financial hardships faced by people in Connecticut. The term “ALICE” is an acronym for Asset Limited, Income Constrained, Employed.

The report looks at the number of households struggling to afford life’s basic necessities due to income limitations and/or expenses .

The 2020 ALICE Report estimated that 28 percent of the households in Newington fell below the ALICE threshold.

<https://alice.ctunited-way.org/meet-alice-2/>

Lower Income Households - Housing costs can also pose a significant burden for low- and moderate-income households earning less than 80 percent of area median income (see income levels on page 9).

As might be expected, lower income households are the most cost-burdened owners and renters. It is not until incomes get above \$60,000 per year that people are in a position to be able to afford rents or mortgages without paying more than 30 percent of their income for housing.

Cost Burden By Household Income Group				
OWNER	Less than 30%	30% To 34%	More Than 35%	Total
\$0 – \$19,999	4%	3%	93%	100%
\$20 – \$39,999	32%	10%	59%	100%
\$40 – \$59,999	52%	12%	36%	100%
\$60 – \$79,999	72%	10%	19%	100%
\$80 – \$99,999	85%	7%	8%	100%
\$100,000 +	96%	2%	2%	100%
RENTER				
\$0 – \$19,999	15%	11%	74%	100%
\$20 – \$39,999	22%	6%	72%	100%
\$40 – \$59,999	42%	26%	32%	100%
\$60 – \$79,999	92%	5%	3%	100%
\$80 – \$99,999	100%	0%	0%	100%
\$100,000 +	99%	1%	0%	100%

US Census / PUMS Micro-Sample Data

2.5. State-Defined Affordable Housing

Overall, there are about 1,155 housing units in Newington which are assisted or restricted in some way to remain affordable for some time (see sidebar),

	Newington	Share	County	State
Government-Assisted	531	4.1%	7.4%	6.1%
Tenant Rental Assistance	116	0.9%	4.0%	3.0%
CHFA / USDA Mortgages	472	3.6%	2.8%	1.9%
Deed-Restricted Units	36	0.3%	0.2%	0.4%
Total	1,155	8.9%	14.4%	11.3%

DOH Affordable Housing Appeals List (2019)

Government-Assisted Units - Newington has 531 government-assisted units. Since government assisted units have been funded by government programs related to housing, Newington can be fairly comfortable that these units will continue to be affordable for the foreseeable future.

Elderly + Disabled (214 units)	#	Year Built
Cedar Village (Housing Authority (NHA))	40	312-316 Cedar Street
Edmund J. Kelleher Park (NHA)	40	241 West Hill Road
New Meadow Village (NHA)	26	1 Mill Street Ext.
Market Square	76	65 Constance Leigh Drive
Meadowview	32	50 Mill St. Ext.
Family + Elderly (316 units)		
Griswold Hills	128	10 Griswold Hills Drive
Victory Gardens	74	555 Willard Avenue
Southfield Apartments	114	85 Faith Road
Other (1 unit)		
Group Home	1	98 Cedar Street

DOH Affordable Housing Database (2019)

Tenant Rental Assistance Units – The locations of the tenants receiving tenant rental assistance are not disclosed. The number and location of tenant rental assistance units can change over time since the assistance is provided to eligible people. Over the past decade, Newington has had *between 84 and 148 units*.

Overall, Newington has 1,155 housing units that meet State criteria for “affordable housing” ...

State statutes only consider housing which is encumbered in some way to sell or rent at affordable price levels:

- Governmentally assisted housing developments,
- Rental units occupied by households receiving tenant rental assistance,
- Ownership units financed by government mortgages for low/moderate income persons and families,
- Housing units subject to deed restrictions limiting the price to where persons or families earning eighty percent or less of the area median income pay thirty per cent or less of their income for housing.

CHFA/USDA Mortgages – The locations of the units financed by CHFA/USDA mortgages are not disclosed. The number and location of CHFA/USDA mortgage units can change over time since the assistance is provided to eligible people. Over the past decade or so, Newington has had between 366 and 472 units.

Deed-Restricted Units –Newington has 36 deed-restricted units on Hopkins Drive and these units are restricted in perpetuity.

Elderly / Disable Housing

Cedar Village



Kellher Park



Meadow View



Family Housing

Southfield Apartments



Griswold Hills

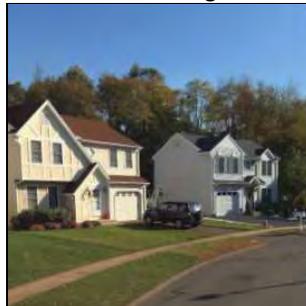


Victory Gardens

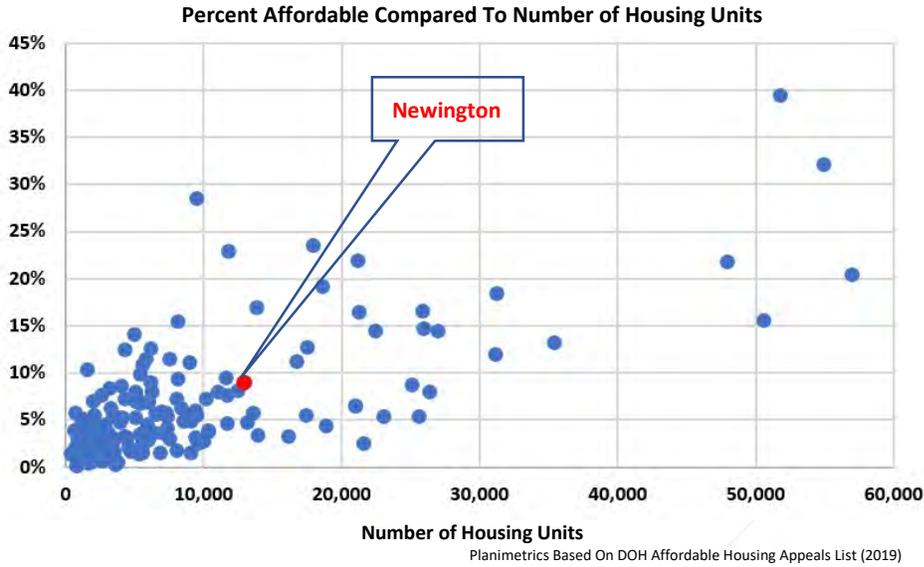


Deed-Restricted Housing

Hoskins Ridge



The following chart compares the number of State-defined affordable housing units in Newington to some other Connecticut communities.



Similar # of Housing Units		% AH	Similar Affordable %		# Units
Branford	13,972	3.36%	Winchester	5,613	10.81%
Vernon	13,896	16.86%	North Canaan	1,587	10.27%
Glastonbury	13,656	5.72%	Windsor	5,429	9.82%
Trumbull	13,157	4.68%	Wethersfield	11,677	9.45%
Naugatuck	13,061	8.87%	Berlin	8,140	9.31%
Newington	13,011	8.88%	Newington	13,011	8.88%
East Haven	12,533	8.03%	Colchester	6,182	8.88%
New London	11,840	22.83%	Naugatuck	13,061	8.87%
Windsor	11,767	7.52%	Hamden	25,114	8.67%
New Milford	11,731	4.59%	Portland	4,077	8.49%
Wethersfield	11,677	9.45%	Brooklyn	3,235	8.28%

Planimetrics Based On DOH Affordable Housing Appeals List (2019)

2.6. Existing Zoning Regulations

Newington has a regulatory framework embodied in the Zoning Regulations with a variety of provisions which can help meet housing needs:

Section	Description
3.2.4	... rest homes, assisted living, senior independent living facilities, convalescent or nursing homes, long term care facilities and continuing care retirement communities ... [allowed in all zones by Special Permit]
3.4.6	Group homes and community residences ... [allowed in all residential zones by Special Permit]
3.4.7	Conversion of large older residential homes to smaller residential units ... [allowed in all residential zones by Special Permit]
3.6.1	Two-family attached dwellings ... [allowed in R-7 residential zone by Special Permit]
3.7.1	Patio houses, duplex houses, townhouses, or multi-family structures (up to 5.5 units / acre when at least 10 acres and on arterial road) ... [allowed in R-7 and R-12 residential zones by Special Permit]
3.7.2	Affordable age-restricted housing for seniors sponsored by either the Newington Housing Authority, a non-profit developer, or a limited-profit developer for the health ... up to 20 units / acre ... [allowed in R-7 and R-12 residential zones by Special Permit]
3.7.3	Single-family entry-level housing ... up to 5.8 units / acre ... subject to a contract requiring the developer to abide by the income criteria as from time to time may be established ... [allowed in R-7 and R-12 residential zones by Special Permit] <i>(Clarification of income criteria should be considered)</i>
3.9	Residential Designed (RD) zone ... up to 3.5 units per acre ... [allowed in R-D zone by Special Permit]
3.13.1	Unrestricted multi-family residential buildings (and mixed-use buildings) in the Town Center zone ... up to 60 units/acre for elderly or affordable and 17.4 units/acre otherwise ... [allowed in B-TC zone by Special Permit] <i>(Proposed for modification elsewhere in this report)</i>

(continued on next page)

Section	Description (continued)
<i>(continued from previous page)</i>	
3.19.2	Residential building (and mixed-use buildings) ... up to 9.7 units/acre [allowed in PD zone on Berlin Turnpike by Special Permit] <i>(Proposed for modification elsewhere in this report)</i>
3.19.A	Mixed use development (including housing) in the area near the West Cedar Street Fastrak Station <i>(Proposed for modification elsewhere in this report)</i>
3.26	Workforce Assisted Housing District for a site-specific affordable housing development on Cedar Street
6.12	Allows multi-family use within existing structures in the Willard Avenue Development District [allowed by Special Permit]
6.13	Allows accessory apartments [allowed in R-12 and R-20 zone by Special Permit] <i>(Proposed for modification elsewhere in this report)</i>
6.14	The use of a “residual lot” for a single-family house [allowed by Special Permit]

2.7. Summary Of Findings

1. About 2/3rds of all housing units in Newington are single-family detached homes and while such homes meet the housing needs of many people, they do not meet the housing needs of all present or future Newington residents.
2. More than half of all housing units in Newington were built before 1970 and may not reflect housing needs of today or the future.
3. Newington's population is growing, and more housing units may be needed.
4. Newington's age composition is changing with more older residents (with different housing needs) than ever before.
5. With smaller household sizes, people may want smaller (or less expensive) units than were built in the past.
6. Newington has thousands of rental and ownership units naturally affordable to persons earning 80% or less of the area median income.
7. Even so, almost 3,500 Newington households are considered cost burdened because they are spending more than 30 percent of their income on housing – this includes a number of elderly households and low- and moderate-income households.
8. Overall, Newington has 1,155 housing units that meet State criteria for “affordable housing.”
9. Older households, especially those who are income constrained or cost-burdened, may want the ability to transition to less expensive housing.
10. There is a two-year waiting period for elderly households who may need an affordable unit now.
11. Since there are not enough units for elderly households who seek subsidized housing, providing services for residents who want to “age-in-place” will be important.
12. Newington Interfaith Housing offers housing for low- and moderate-income families but the Housing Authority only offers rental vouchers and the demand far outstrips the supply.
13. Since most land in Newington is already developed, the community will need to be creative to find ways to address housing needs.

Affordable Housing Plan strategies are presented in the chapter. Additional information (such as potential regulation changes or other relevant material) is contained in a separate technical document. For the implementation tables, a “legend” for the designated “leaders” and “partners” is located on the inside back cover.

3.1. Encourage Housing Meeting Community Goals

Newington prefers that future housing in Newington be built in places and ways which are consistent with the community’s overall vision for future growth as expressed in the [2020-30 Plan of Conservation and Development](#) (POCD). Naturally, this includes housing development and, in particular, housing that is set aside to meet identified local housing needs:

- Housing for an aging population,
- Housing For low- and moderate-income households.

3.1.1. Support Development Of Mixed-Use Nodes With A “Sense Of Place”

The 2020 POCD identified four **key** opportunity areas in Newington and recommended mixed use, pedestrian-friendly, and transit-oriented development and redevelopment at these locations:

- Town Center,
- Future Train Station,
- Cedar Street Fastrak Station, and
- Newington Junction Fastrak Station.

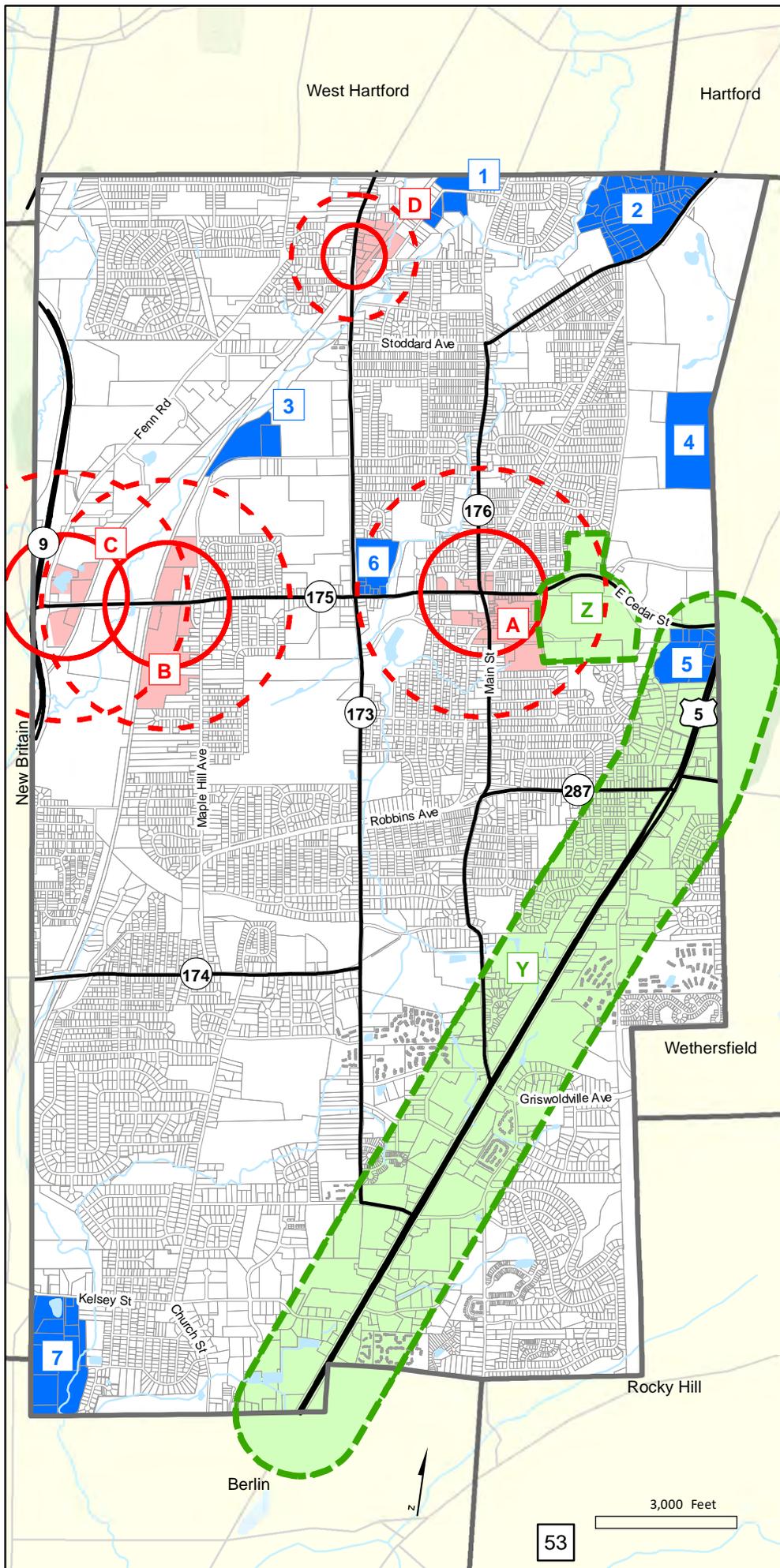
For all of these locations it is recommended that regulations requiring at least 10% of the residential units be set aside for persons and families earning 80% or less of the area median income be adopted or retained.

ENCOURAGE HOUSING MEETING COMMUNITY GOALS		Leader
Support Development Of Mixed-Use Nodes With A "Sense Of Place"		Partners
1.	Overall - Encourage development (and redevelopment) which will help accomplish Newington's overall community development goals (including housing) as recommended in the 2020-30 POCD.	Town TC TPZ
2.	Newington Center - <u>Following a community-driven design process</u> , adopt regulations for Newington Center that: <ul style="list-style-type: none"> a. Implement the overall vision for Newington Center, b. Rename the zone from "Business – Town Center" to just "Town Center" or something similar, c. Allow for more flexibility (height, setbacks, coverage, etc. to help create a mixed use, pedestrian-friendly, and transit-oriented node), and d. Require the set aside of at least 10% of new housing units for low- and moderate-income households. 	TPZ TC Public Owners
3.	Train Station / Transit Village - <u>Following a community-driven design process</u> , revise the Transit Village Design District regulations to: <ul style="list-style-type: none"> a. Implement the overall vision for the train station area, and b. Maintain the requirement that at least 10% of new housing units be set aside for low- and moderate-income households. 	TPZ TC Public Owners
4.	West Cedar Street Fastrak – Revise the TOD Overlay District for possible changes to Section 3.19.A) to: <ul style="list-style-type: none"> a. Allow for consideration of a residential development (in addition to a mixed-use development) within the overlay zone area, and b. Require the set aside of at least 10% of new housing units for low- and moderate-income households. 	TPZ
5.	Newington Junction Fastrak - <u>Following a community-driven design process</u> , establish an "overlay zone" for the Newington Junction Fastrak area which: <ul style="list-style-type: none"> a. Implements the overall vision for the area, and b. Requires that at least 10% of new housing units be set aside for low- and moderate-income households. 	TPZ TC Public Owners

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Opportunity Sites

Newington, CT



Codes:

- B = Business
- I = Industrial
- M = Mixed Use
- O = Office
- P = Public / Private Institution
- R = Residential
- T = Transitions

Key Opportunity Area

(Generally mixed use, pedestrian-friendly, and transit oriented)

- Core Area / Walk Radius
- Fringe Area / Walk Radius

- A = Town Center (M)
- B = Future Train Station (M)
- C = Cedar Street Fastrak Station (M)
- D = Newington Junction (M)

Special Opportunity Area

- Y = Berlin Turnpike (B/I/O/P)
- Z = Town Center East (B/M/O/P/R)

Opportunity Site

- 1 = Day Street (B/I/M/R)
- 2 = North Mountain Road (I/O)
- 3 = Alumni Road (B/I/O/P)
- 4 = Cedarcrest Hospital (O/P/R)
- 5 = East Cedar Street (B/O/R)
- 6 = Willard Avenue (O/P/R)
- 7 = Kelsey Street (B/O/I)

3.1.2. Encourage Redevelopment With Housing Where Appropriate

The 2020 POCD identified additional opportunity areas and sites in Newington for appropriate development and redevelopment to be encouraged:

- Berlin Turnpike,
- Town Center East, and
- Specific opportunity sites (shown in blue on the POCD map).

Existing regulations allowing housing in the PD zone should be extended to the B-BT zone. New regulations should be crafted for Town Center East based on a community-driven planning process.

Any development or redevelopment in these areas which includes housing should set aside at least 10% of the residential units for low- to moderate-income households.

ENCOURAGE HOUSING MEETING COMMUNITY GOALS Encourage Redevelopment With Housing Where Appropriate		Leader Partners
1.	Berlin Turnpike – Planned Development District - Modify Section 3.19.2 of the Zoning Regulations for the Planned Development (PD) district to require the set aside of at least 10% of new housing units for low- and moderate-income households.	TPZ
2.	Berlin Turnpike – B-BT District - Modify Section 3.15 of the Zoning Regulations for the Business – Berlin Turnpike (B-BT) district to allow residential uses by Special Permit (same as the PD District) and to require the set aside of at least 10% of new housing units for low- and moderate-income households.	TPZ
3.	Town Center East - <u>Following a community-driven design process involving major property owners</u> , consider modifying the Zoning Regulations for the Town Center East area to: <ol style="list-style-type: none"> a. Implement the overall vision for the area to integrate it into (and help strengthen) the Town Center area, and b. Require that at least 10% of new housing units be set aside for low- and moderate-income households. 	TPZ TC Owners Public

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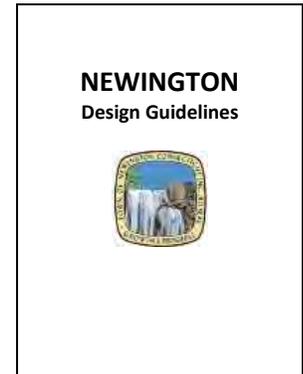
3.1.3. Promote Other Development Goals

Adopt Design Guidelines - Since the design of higher density residential development is critical to its assimilation into the community, this Affordable Housing Plan recommends that Newington prepare design guidelines for such developments (these may arise out of the community-driven planning processes recommended in the POCD). Design guidelines adopted by other communities can provide some guidance for Newington.

Preserve Stable Areas - Although this Affordable Housing Plan promotes development and redevelopment in the areas identified in the POCD, it is also important to note that the Town will continue to strive to:

- Preserve industrial zones for technology / employment in order to provide jobs, provide for goods and services, and enhance the tax base, and
- Preserve the character and integrity of single-family residential neighborhoods

Support Bus Transit – Newington is fortunate to have a reasonable bus transit system which supports local residents and employers. The Affordable Housing Plan recommends that Newington continue to support the bus transit system.



ENCOURAGE HOUSING MEETING COMMUNITY GOALS Promote Other Development Goals		Leader Partners
1.	Prepare Design Guidelines - Prepare design guidelines for higher density residential developments in order to help them fit into the overall character of Newington.	TPZ
2.	Enable Village Districts - Consider designating the following areas as “village districts” (per CGS Section 8-2j) or modifying the existing provisions in the Zoning Regulations in order to have design control over development in these areas: a. Town Center / Town Center East. b. Train station, c. Fastrak stations (Cedar Street / Newington Junction), and	TPZ
3.	Preserve industrial zones for technology uses in order to provide jobs, provide for goods and services, and enhance the tax base.	TPZ ED
4.	Preserve the character and integrity of single-family residential neighborhoods.	TPZ
5.	Support the bus transit system.	Town

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back cover

3.1.4. Earn An Exemption From CGS 8-30g

Section 8-30g of the Connecticut General Statutes (CGS) provides that certain developments where more than 30 percent of the units are restricted as affordable housing may not have to comply with local Zoning Regulations. This provision applies to Newington and other communities where less than 10% of the housing stock meets the State criteria (government assisted, tenant rental assistance, CHFA/USDA mortgages, or deed-restricted to affordable prices).

It is Newington’s strong desire to encourage and enable development that meets the overall development goals of the community ***in compliance with local Zoning Regulations***. Newington’s Zoning Regulations already allow for housing choice and opportunity and will continue to do so in the future.

Newington prefers that development in the community occur with input, feedback, and guidance from the community. Development proposed in accordance with CGS Section 8-30g may not be consistent with that preference or may even be in conflict with local development goals.

As a result, Newington may seek to earn a moratorium or exemption from CGS 8-30g in the future. The purpose for doing so would be to guide development to places where the community wants it and where it will meet overall development goals rather than have higher density development not consistent with overall development goals.

ENCOURAGE HOUSING MEETING COMMUNITY GOALS Consider Seeking Exemption From CGS 8-30G	Leader Partners
1. Consider seeking a moratorium or exemption from CGS 8-30g so that housing development will support Newington’s overall development goals, be in accordance with local Zoning Regulations, and will be responsive to community input, feedback, and guidance.	TC TPZ

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3.2. Adopt Inclusionary Zoning Provisions

CGS Section 8-2i allows a zoning commission to establish almost any regulation, requirement or condition which promotes the development of housing affordable to persons and families of low and moderate income including but not limited to:

- the setting aside of a reasonable number of housing units for long-term retention as affordable housing through deed restrictions or other means,
- the use of density bonuses, or
- in lieu of or in addition to such other requirements or conditions, the making of payments into a housing trust fund to be used for constructing, rehabilitating, or repairing housing affordable to persons and families of low and moderate income.

Some communities have adopted provisions related to:

- Mandatory set-aside of units as part of any residential development,
- A fee-in-lieu-of affordable-housing, and/or
- An inclusionary zoning fee.

Newington may consider adopting similar provisions. Newington could also consider other approaches including allowing a developer to purchase a reasonably similar existing unit (including a “naturally occurring affordable unit) and deed-restricting it to sell or rent at an affordable price in accordance with CGS Section 8-30g.

ADOPT INCLUSIONARY ZONING PROVISIONS		Leader
Adopt Inclusionary Zoning Provisions		Partners
1.	Consider adopting inclusionary zoning requirements which will promote the development of housing affordable to persons and families of low and moderate income	TPZ TC

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Elderly households have special housing needs and the number of elderly persons is increasing ...

3.3. Address Housing Needs Of An Aging Population

As Newington’s population grows, the age composition is also changing and the number of residents in the older age groups is increasing. With increasing life expectancy, the number of elderly residents (and the share of the population which is over age 65) in Newington is expected to continue well into the future.

The housing needs of older households are different than younger households in a number of ways:

- Older households tend to be smaller,
- Older households may have lower income levels,
- Older households may find themselves housing cost burdened,
- Older households may have more disabilities or impairments which affect their quality of life and capabilities, and
- Older households are less able to maintain the interior (and exterior) of their homes.



“Transitional” Housing

For people with adequate income and/or assets, housing that incorporates age-friendly characteristics (such as one floor living, no step entry, wide doorways, lever door handles, bathroom grab bars, loop drawer handles, higher electric outlets, lower electric switches, etc.) will help them make the transition to housing which will meet their needs over a lifetime.

3.3.1. Expand The Number Of Low-Income Elderly Units

Although there are 214 elderly housing units in Newington at the present time (106 managed by the Newington Housing Authority and 108 managed by other entities), it is not enough to meet the growing need. Most units were built in the 1970s and 1980s.

According to the Newington Housing Authority, there are currently about 150 people on the waiting list for an elderly housing unit in Newington and the estimate is that it might be **two years** before a unit becomes available. The waiting period at local elderly housing developments not managed by the Housing Authority may be even longer.

This is an issue because people and families often find themselves in situations where they need alternative housing at that time. When an elderly person or couple gets to the point that they realize they need lower cost housing they can afford, it can be heart-breaking to learn that there is a two-year waiting period (or more) before a unit may be available. Simply, there are not enough units to meet the current demand for elderly housing.

It is anticipated that the lack of elderly housing units will get worse over time since the number of elderly residents is expected to increase in the future. Improvements in healthcare and lifestyles have increased life expectancies and people may outlive their financial resources.

If no units are added, the wait times will get even longer and elderly people who need housing assistance will struggle to make ends meet.

There is a two-year waiting period for elderly households who may need an affordable unit now ...

Need For Elderly Housing Units

In terms of housing for low income elderly persons, Newington has several developments to help address this need. However, more units are needed since:

- The elderly population is expected to continue to increase,
- Over the years, some of the units built for elderly have been repurposed for disabled persons so there are actually fewer elderly units than there were when the developments were built, and
- There is a long waiting period for people who want or need a unit.

Possible Sites

Cedarcrest Hospital Site
Russell Road

I-291 ROW

- Maple Hill Avenue
- New Britain Avenue
- Willard Avenue

Excess Town Land

Underused School Building
(Public or Parochial)

Day Street area

Other Site(s)

The only way to address the housing need for the lowest income elderly is to build subsidized elderly housing using State or Federal funding programs. Newington should start the process of working with State and/or Federal agencies to get funding to add more elderly housing units.

Of course, land is typically the biggest challenge for initiating a project such as this. In Newington, the following sites may have some potential for supporting the development of additional elderly housing units in Newington:

ADDRESS HOUSING NEEDS OF AN AGING POPULATION Expand The Number Of Low-Income Elderly Units		Leader Partners
1.	Obtain Land – a. Obtain and dedicate land in Newington for development of additional elderly housing units. b. Seek to acquire surplus State-owned parcels (or facilities) for affordable elderly housing	Town NHA
2.	Start The Process - Start the process of working with State and/or Federal agencies to get funding to add more elderly housing units.	Town NHA

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Elderly Couples



Seniors



Long-Time Residents



3.3.2. Support Older People Choosing To Age In Place

Data from AARP suggests that about 80% of older residents would prefer to age in place in their current residence. While there can be challenges to accomplishing this, the Town may be in a position to help people do this for as long as possible since some housing options may not be ready for some time.

Housing Issues Facing Older Homeowners Choosing To Age In Place - Older homeowners choosing to age in place may present some unique challenges and opportunities since they may be income-constrained but have some equity in their home.

1. Cost of homeownership may place stress on a fixed income -
 - a. Town can maintain property tax relief.
 - b. Town can enhance property tax relief.
 - c. Town could offer enhanced tax relief for deed restriction or equity share.
2. House is not configured well for independent older occupants - Zoning Regulations could be modified to allow for one-story addition closer to property line provided it included an accessible full bath and another room that could be configured as a bedroom.
3. Homeowner desires assistance / companionship / income supplement -
 - a. Zoning Regulations Section 6.13 could be modified to allow for an accessory apartment (within or attached) by Zoning Permit (rather than TPZ approval) in some or all residential zones provided it was owner-occupied and included an operable door on a common wall and common water, sewer, gas, and electric service.
 - b. Under conditions spelled out in CGS Section 8-30g(k), accessory apartments can count as deed-restricted units when:
 - legally approved
 - restricted for 10 or more years to a rent affordable at 80% or less of area median income.
 - c. Although Newington opted out of allowing them, the Zoning Regulations could allow for a temporary detached accessory structure (per CGS 8-1bb) sometimes favored by people caring for their parents provided the property was owner-occupied.

Housing Issues Facing Older Renters Choosing To Age In Place - Older renters tend to be income-constrained and asset-limited. If they are struggling to afford their current rental, they may need to investigate a less expensive option. For eligible low-income renters (including the elderly) earning less than \$45,000 per year, the State offers a rent rebate program of up to \$900 per year,

Services For Older Residents Generally Choosing To Age In Place -For older people who have or can find an affordable and appropriate place to live, the support programs below will help them support their overall quality of life as they age-in-place until such time as they need to investigate other housing options:

- Maintaining senior center / recreation programs (social, recreational, health screening, life coaching, etc.),
- Maintaining hot lunch / meals-on-wheels,
- Maintaining dial-a-ride / transportation for seniors,
- Maintaining visiting nurse services for seniors,
- Helping seniors with handyman and other useful services.

ADDRESS HOUSING NEEDS OF AN AGING POPULATION		Leader
Support Older People Choosing To Age In Place		Partners
1.	Continue Tax Relief – Maintain / improve /enhance existing elderly tax relief programs that support elderly residents desire to age in place.	Town
2.	Allow Flexibility For Aging-Appropriate Renovations – Consider modifying the Zoning Regulations to allow for one-story addition closer to property line provided it included an accessible full bath and another room that could be configured as a bedroom.	TPZ
3.	Facilitate Accessory Apartment – a. Simplify the Zoning Regulations for an accessory apartment and consider allowing by Zoning Permit (when within or attached) in some or all residential zones provided it was owner-occupied and included an operable door on a common wall and common water, sewer, gas, and electric service. b. Consider modifying the Zoning Regulations to allow for an accessory apartment deed-restricted to sell at an affordable price level for at least 10 years.	TPZ
4.	Allow For Temporary “Granny Pods” – Consider “opting in” to the State statute (CGS Section 8-1bb) enabling a temporary detached accessory structure sometimes favored by people caring for their parents provided the property was owner-occupied.	TC TPZ
5.	Maintain Local Programs - Maintain / improve /enhance programs that support elderly residents desire to age in place.	Town

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3.4. Address Needs Of Lower Income Households

There is a need in Newington and the region to increase the housing opportunities for people and families with low to moderate incomes.

3.4.1. Seek Opportunities To Create Affordable “Family” Rental Units

As indicated previously, there are 316 “family” housing units (not limited to occupancy by the elderly or disabled) in Newington at the present time. These units are managed and operated by private and non-profit entities (none are managed by the Newington Housing Authority). There is strong demand for these units and waiting times can be lengthy.

If land were available (see the listing of possible sites for consideration on the sidebar on page 28), Newington could start the process of working with State and/or Federal agencies to seek development and construction funding to add more family housing units. This process could be led by the Housing Authority or a non-profit entity (as was done with Newington Interfaith Housing for Southfield Apartments).

ADDRESS HOUSING NEEDS OF LOWER INCOME HOUSEHOLDS Seek Opportunities To Create Affordable “Family” Rental Units	Leader Partners
1. Obtain Land – a. Obtain and dedicate land in Newington for development of additional “family” housing units not restricted to elderly/ disabled persons. b. Seek to acquire surplus State-owned parcels (or facilities) for affordable “family” housing.	Town NHA IHC
2. Start The Process - Start the process of working with State and/or Federal agencies to get funding to add more “family” housing units not restricted to elderly/disabled persons.	Town NHA IHC

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Need For Family Housing Units

It is important to note that the Housing Authority receives the most phone calls for family units (even though they basically only have elderly units). The Housing Authority offers some housing “vouchers” for family units, but the waiting list has about 250 people on it. With vouchers issued on the basis of a lottery system, some people may never get a voucher or may need to wait 8-10 years.

3.4.2. Promote Rental Assistance Programs

Until a site becomes available to build family units in the community, Newington should continue to use State and Federal “tenant rental assistance” programs to help low- and moderate-income households meet their housing needs. There are two types of rental assistance programs:

- “Tenant-based” where a household is admitted to the program and, upon finding an appropriate rental unit, pays a percentage of their income for the unit and the State or Federal government pays the remainder. The tenant keeps the voucher when they change apartments, including relocating to other communities.
- “Project-based” where units in a development are reserved for low- and moderate-income households and an eligible tenant pays a percentage of their income for the unit and the State or Federal government pays the remainder. The property keeps the voucher when a tenant departs.

Newington is credited with 116 tenant rental assistance units in the community. Since the Housing Authority has 30 vouchers (managed by Imagineers), there are 86 additional vouchers being used in Newington (either tenant-based or project-based). Newington should continue to support and promote the rental assistance programs to help meet the housing needs of low- and moderate-income households, often using the existing housing stock.

ADDRESS HOUSING NEEDS OF LOWER INCOME HOUSEHOLDS Promote Rental Assistance Programs		Leader Partners
1.	Continue to support and promote rental assistance programs (tenant-based and project-based) to help meet the housing needs of low- and moderate-income households.	Town SS

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Young People



Young Families



Service Workers



3.4.3. Help Support Ownership Assistance Programs

In the history of America, homeownership has been a pathway to prosperity for many households. Newington is no different. Whether someone is trying to get on or climb “the housing ladder” (or trying to downsize and move down “the housing ladder”), Newington can be a part of that journey.

Due to the extensive stock of “naturally occurring affordable housing” (both rental and ownership) in Newington, most people (including many low- and moderate-income households) are able to afford housing here for wherever they may want to be on the housing ladder.

Support Home Purchases - For low- and moderate-income households seeking to purchase housing in Newington, they may be able to obtain financing from the Connecticut Housing Finance Authority (CHFA) or the United States Department of Agriculture (USDA) through programs that have mortgage programs for low- and moderate-income households.

As indicated previously, there are 472 housing units in Newington where low- and moderate-income households received CHFA/USDA mortgages. Newington should continue to support and promote these mortgage assistance programs to help meet the housing needs of low- and moderate-income households, often using the existing housing stock. Newington should consider publicizing this better so that people are aware of this opportunity to live in Newington.



Support Creation Of New Units – Newington has acquired some residentially-zoned parcels which are surplus to its needs. Newington could partner with Habitat For Humanity (or other non-profit organization) to build affordable homes on Town-owned lots (rental units could also be considered).

Support Home Maintenance – In some situations, low- and moderate-income households may struggle with housing maintenance / rehabilitation due to the tightness of their finances. Newington currently uses Small Cities funding to assist low- and moderate-income households with maintenance and housing rehabilitation. This program should continue.

In addition, if Newington were able to find a way to promote a “community maintenance corps” of volunteers that could be available to help low-and moderate-income homeowners maintain and improve their properties, it might pay some considerable dividends.

ADDRESS HOUSING NEEDS OF LOWER INCOME HOUSEHOLDS		Leader
Help Support Ownership Assistance Programs		Partners
1.	Promote Ownership Assistance Programs - a. Continue to support and promote the CHFA/USDA mortgage assistance programs to help meet the housing needs of low- and moderate-income households. b. Promote the CHFA/USDA mortgage assistance programs so that people are aware of this opportunity to live in Newington.	Town SS
2.	Support Home Construction – Consider partnering with Habitat For Humanity (or other non-profit organization) to build affordable homes on Town-owned lots (rental units could also be considered).	TC
3.	Support Home Maintenance / Rehabilitation – a. Continue to use Small Cities funding to assist low- and moderate-income households with maintenance and housing rehabilitation. b. Investigate ways to promote a “community maintenance corps” of volunteers that could be available to help low- and moderate-income homeowners maintain and improve their properties.	Town SS

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3.5. Consider Other Housing Configurations

Some areas around the country are considering making provision for “missing middle” housing and this concept may have some applicability in Newington.

Newington should explore the concept of enabling certain housing types in and near the mixed-use nodes recommended in the 2020-30 POCD:

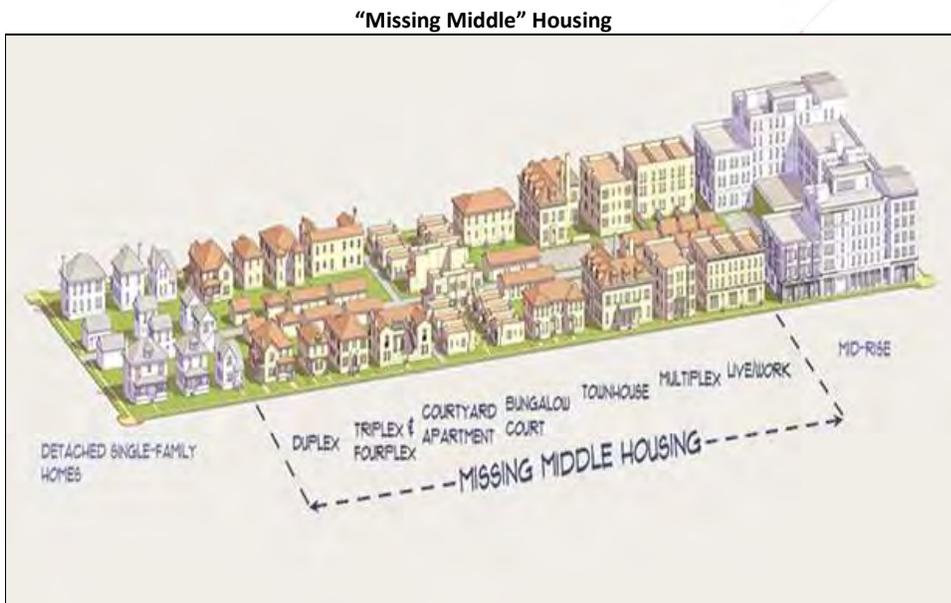
- Duplex units
- Triplex and/or fourplex units
- Courtyard apartments
- Bungalow courts / cottage courts
- Townhouse development
- Multiplex housing
- Live/work units

“Missing Middle” Explained

The term “missing middle” refers to housing types that fall between single-family residential homes and larger scale multi-family projects.

Historically, this type of housing supported pedestrian-friendly and transit-oriented development which helped diversify housing options and choices while contributing to a “sense of place” in neighborhoods.

Such units were also generally more affordable than other housing types.



CONSIDER OTHER HOUSING CONFIGURATIONS		Leader Partners
Consider Other Housing Configurations		
1.	Explore the concept of enabling certain housing types in and near the mixed-use nodes recommended in the 2020-30 POCD.	TPZ

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Special Needs Housing

- Living independently
- Living with assistance from family or caregivers
- Living independently in elderly / disabled housing
- Living in a group home / community residence
- Living in a specialized facility (assisted living, etc.)

Group Homes

Data from the State of Connecticut indicates that there are presently 11 group homes in Newington with a capacity to serve up to 55 residents.

State statutes (CGS Section 8-3(e)) provide that local zoning regulations cannot treat such housing differently than a single-family home.

3.6. Help Address Special Housing Needs

Disabled / Special Needs Housing - The housing needs of disabled / special needs persons (physical, mental, developmental disabilities, transition, etc.) may be met in several ways (see sidebar). Newington permits all of these housing options (including reasonable accommodations) and the need for additional provisions is not apparent at this time.

Transient Lodging - Some motels along the Berlin Turnpike are being used as residences for people who do not have (or do not choose) other housing options. The Town has established a multi-department task force which continues to work on addressing these issues. Redevelopment of these sites along the Berlin Turnpike is already allowed and encouraged (see page 22). The need for additional provisions is not apparent at this time.

Homeless / Emergency Shelter - The Police Department coordinates with the Human Services Department whenever there is an issue in Newington related to homelessness, domestic crisis, or similar interventional situation. Regionally, there is not enough capacity to address the need, especially during colder weather. Newington continues to work on addressing this situation in the short-term (finding a safe place when needed) and the long-term (helping address regional needs). The need for additional provisions is not apparent at this time.

HELP ADDRESS SPECIAL HOUSING NEEDS Help Address Special Housing Needs		Leader Partners
1.	Disabled / Special Needs – Continue to allow for a variety of living arrangements for disabled and special need persons.	Town TPZ
2.	Transient Lodging – Continue to investigate ways to address the use of transient lodging facilities for housing.	Town TLTF
3.	Homeless / Emergency Shelter – Continue to address the special needs of homeless people and people in crisis situations.	Town SS

Legend on inside back cover

3.7. Retain Existing Housing That Addresses Needs

Newington wants to retain the existing “naturally occurring affordable housing” that exists. As indicated previously, Newington has a diverse housing stock which includes:

- A wide variety of rental units at different price levels,
- A wide variety of ownership units (single-family houses, 2-4-family buildings, and condominiums) at different price levels, and
- A variety of other types of housing to meet special needs (elderly, congregate care, assisted living, nursing homes, etc.).

These housing units help make Newington a place where many people can find housing they want and can afford at all stages of their life. In addition, ***thousands*** of these units are affordable to low- and moderate-income households.

This diversity of housing choices is a strength of Newington and it is the community’s desire to maintain this diversity and the “naturally occurring affordable housing” that exists.



RETAIN EXISTING HOUSING THAT MEETS NEEDS		Leader
Retain Existing Housing That Meets Needs		Partners
1.	Seek to retain existing “naturally occurring affordable housing” in Newington which is effective at meeting housing needs of a variety of households.	Town TC TPZ
2.	Maintain / improve existing Zoning Regulations that allow housing diversity.	TPZ

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3.8. Address Other Housing Issues

3.8.1. Enhance Local Framework / Capacity

Increase Capacity Of Housing Authority - When additional units are added to the Housing Authority portfolio, it is unlikely the part-time staff will be able to keep up with the additional responsibilities. Newington should:

- Anticipate the need to have some full-time Housing Authority staffing (administrative, and/or maintenance) to manage more units, and
- Supplement the part-time staff with technical assistance for development / expansion planning.

Prepare And Adopt A “Model Housing Affordability Plan” - With additional deed-restricted housing units anticipated in the future to be provided by developers, Newington should prepare a “model housing affordability plan.” Such a plan specifies how deed-restricted affordable housing units will be managed in accordance with local, State, and Federal requirements related to income eligibility, rental rates, sale prices, and similar requirements. If the Town does not have a model plan, each development will prepare their own (or ignore the requirement entirely) and this may become an administrative nightmare.

Identify A Housing Affordability Administrator - Newington should consider who will be the party responsible for overseeing the sale/ rental of deed-restricted affordable housing units in accordance with local, state, and federal requirements.

Affordability Administrator

The Town Planner oversees the 36 deed-restricted units in Newington currently and this arrangement may continue to work best.

Alternatively, the responsibility could be delegated to another entity. For example, the Housing Authority may have experience with income verification and housing programs.

Some towns use a third-party consultant to provide these services and Newington could consider the same approach.

ADDRESS OTHER HOUSING ISSUES Enhance Local Framework / Capacity		Leader Partners
1.	Increase Capacity Of Housing Authority - a. Anticipate the need to have full-time Housing Authority staffing (management, administrative, and/or maintenance) to manage more units. b. Supplement the part-time Housing Authority staff with technical assistance for planning the development / expansion of Housing Authority developments.	Town TC NHA
2.	Adopt A Model Housing Affordability Plan – Prepare a “model housing affordability plan.”	TPZ
3.	Identify A Housing Affordability Administrator - Designate who will be the Housing Administrator to oversee the sale/ rental of deed-restricted affordable housing units in accordance with local, state, and federal requirements.	Town TC

Legend on inside back cover

3.8.2. Establish A Housing Trust Fund

In order to accumulate funds to help support housing-related initiatives, Newington should consider establishing a Housing Trust Fund. This account could be funded by:

- The Town Council as part of the annual budget,
- Payments made as part of any inclusionary zoning provision,
- Grants from outside sources or donations by residents, and/or
- Other sources

ADDRESS OTHER HOUSING ISSUES Establish A Housing Trust Fund		Leader Partners
1.	Establish A Housing Trust Fund – Consider establishing a Housing Trust Fund to accumulate funds to help support housing-related initiatives.	Town TC

Legend on inside back cover

3.8.3. Right-Size Parking Requirements

Parking areas consume considerable land area (that could be used for tax-paying uses) and parking requirements can be a major impediment to development yields. Newington might consider modifying the parking standards in the following situations:

- Allow 1.0 or 1.5 parking spaces per studio or one-bedroom unit to reflect the smaller household sizes which are prevalent these days,
- Allow a reduction of parking requirements (perhaps by 25% to 50%) in areas within ¼-mile of a train station or Fastrak station (a developer could choose to install more parking if they wished).

It is worth noting that Section 6.1 of the Zoning Regulations already provides for a 25% reduction in the number of parking spaces for a multi-family unit located in the Town Center (1.5 spaces per unit) versus one located in another zoning district in Newington (2.0 spaces per unit).

ADDRESS OTHER HOUSING ISSUES Right-Size Parking Requirements		Leader Partners
1.	Right-Size Parking Requirements – Consider modifying the parking standards to require fewer spaces for small units and allow a parking reduction in areas near to transit stations.	TPZ

Legend on inside back cover

Housing Partners

Local Organizations

- Municipal Departments, Agencies, And Commissions
- Newington Housing Authority
- Newington Interfaith Housing
- Local Non-Profit Organizations

Regional Organizations

- Capital Region Council Of Governments

State-Wide Organizations

- Connecticut Department Of Housing
- Connecticut Housing Finance Authority (CHFA)
- Partnership For Strong Communities

National Organizations

- US Department Of Housing And Urban Development
- US Department Of Agriculture (USDA)

3.8.4. Continue To Work With Housing Partners

Newington has had success working with other organizations as “housing partners” and these efforts should continue. Organizations to work with in the future might include one or more of the organizations listed in the sidebar.

ADDRESS OTHER HOUSING ISSUES		Leader
Continue To Work With Housing Partners		Partners
1.	Continue To Work With Housing Partners – Continue to work with other organizations as “housing partners” in order to accomplish housing goals.	Town IHC

3.9. Implement The Affordable Housing Plan

It is envisioned that the Housing Needs Study Committee, under the direction of the Town Council, will coordinate and oversee implementation of the strategies in the Affordable Housing Plan. Of course, a number of other agencies (such as the Town Plan and Zoning Commission) will play important roles in implementing the Plan.

Implementation tables on the preceding pages are intended to facilitate implementation of the Plan.

As required by State statute (CGS Section 8-30j), it is envisioned this Plan will be updated within five years.

Legend For Leaders / Partners

Acronym	Organization
ED	Economic Development
IHC	Newington Interfaith Housing Corporation
NHA	Newington Housing Authority
Owners	Property Owners
Public	Newington Residents
SS	Social Services
TC	Town Council
TLTF	Transient Lodging Task Force
Town	Boards, Commissions, Agencies, Departments, and Staff of the Town of Newington
TPZ	Town Plan and Zoning Commission

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