

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

MARCH 11, 2020 - 7:00 P.M.  
REGULAR MEETING  
Town Hall - Conference Room L101

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**AMENDED AGENDA**

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL AND SEATING OF ALTERNATES
- III. APPROVAL OF AGENDA
- IV. PUBLIC PARTICIPATION (For Items Not Listed On The Agenda; Speakers Limited To 2 Minutes)
- V. ZONING ENFORCEMENT OFFICER REPORT

Documents:

[02-28-20 ZEO REPORT.PDF](#)

- VI. REMARKS BY COMMISSIONERS
- VII. PUBLIC HEARING

- A. Petition #03-20: Renewal Of Special Permit #04-17 (Accessory Apartment) At 71 Eddy Lane. Steven And Laura Dutil, Owner/Applicant. Steven Dutil, 71 Eddy Lane, Newington CT, Contact.

Documents:

[TP MEMO 03-20 ACCESS APT SPT 11MAR2020.PDF](#)  
[APPLICATION AND SUPPORT LETTERS.PDF](#)  
[DSM 03-20 DUTIL ACCESSAPT SPT.PDF](#)

- VIII. APPROVAL OF MINUTES

Documents:

[TPZ MINUTES 12FEB2020 REGULAR.PDF](#)  
[TPZ MINUTES 26FEB2020 REGULAR.PDF](#)

- IX. NEW BUSINESS

- A. Petition #41-19: Residential Subdivision At 55 East Robbins Avenue. Dornelas Home Improvement LLC, Owner/Applicant; Helton Dornelas, 65 Wood Pond Road, Farmington CT, Contact.

Documents:

[TP MEMO 41-19 EAST ROBBINS SUB 11MAR2020.PDF](#)  
[APPLICATION 41-19 EAST ROBBINS SUB.PDF](#)

AERIAL PHOTO.PDF  
TP REVIEW COMMENTS DORNELAS SUB 04FEB2020.PDF  
EAST ROBBINS AVENUE TE SUBDIV PLAN REVIEW COMMENTS.PDF  
DSM 41-19 ROBBINS SUB .DOCX

B. POCD Update

Documents:

[TOWN PLANNER MEMO TO TPZ RE POCD 11MAR2020.PDF](#)

C. Possible Amendment To LID Regulations

Documents:

[TP MEMO LID AMEND 11MAR2020.PDF](#)

X. OLD BUSINESS

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

- A. Petition #04-20: Special Permit (Sec. 3.2.1: Church Or Place Of Worship) At 155 Lowrey Place. Renato Almieda, Applicant; Lowrey Place Realty LLC, Owner; Renato Almeida, 95 Nutmeg Lane #312, East Hartford CT, Contact.

Documents:

[TP MEMO 04-20 CHURCH LOWERY SPT 11MAR2020.PDF](#)  
[APPLICATION 04-20 CHURCH SPT.PDF](#)

XII. TOWN PLANNER REPORT

Documents:

[TOWN PLANNER REPORT 11MAR2020.PDF](#)

XIII. COMMUNICATIONS

XIV. PUBLIC PARTICIPATION (For Items Not Listed On The Agenda; Speakers Limited To 2 Minutes)

XV. REMARKS BY COMMISSIONERS

XVI. CLOSING REMARKS BY THE CHAIRMAN

XVII. ADJOURN

# Zoning Enforcement Officer Report

Printed: Friday, February 28, 2020  
for the Month of FEBRUARY 2020

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## 35 BARNARD DRIVE

02/14/2020 ZEO

UNREGISTERED VEHICLE STORED ON PROPERTY &  
PARKING ON UNPAVED PORTION OF PROPERTY.

### *Actions and Inspections*

### *Status*

2 /14/2020	VIOLATIONS OBSERVED	
2 /20/2020	VIOLATION NOTICE SENT (72 HOURS)	Violation Notice Sent
2 /24/2020	CONTACT WITH OWNER & PLAN FOR COMPLIANCE: VEHICLE IS BEING REGISTERED ON 2/28/2020.	Will Monitor
2 /27/2020	INSPECTION OF UNPAVED PARKING: NO VIOLATION.	

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## 586 FENN ROAD

02/14/2020 VIOLATION  
OBSERVED

VEHICLE PARKED IN THE UNPAVED PORTION OF RIGHT-OF-  
WAY.

### *Actions and Inspections*

### *Status*

2 /14/2020	VIOLATION OBSERVED	
2 /20/2020	VIOLATION NOTICE SENT (72 HOURS)	Violation Notice Sent
2 /27/2020	INSPECTION: VIOLATION REMAINS	
2 /28/2020	SECOND NOTICE SENT (72 HOURS)	Violation Notice Sent

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## 174 FRANCIS AVENUE (1ST)

AMERICAN MUSCLE INC.

02/18/2020 ANONYMOUS

UNREGISTERED AND INOPERABLE VEHICLES FROM  
BUSINESS STORED ON TOWN AND RAILROAD PROPERTY.

### *Actions and Inspections*

### *Status*

2 /18/2020	VIOLATION OBSERVED	
2 /18/2020	COMPLAINT RECEIVED	
2 /19/2020	COORDINATION WITH POLICE DEPARTMENT FOR TAG AND TOW.	
2 /24/2020	INSPECTION: NO VIOLATIONS	Compliant

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**74 GLENVIEW DRIVE**01/29/2020 REFERRED FROM  
BLIGHTRUNNING A BUSINESS IN A RESIDENTIAL ZONE WITHOUT A  
SPECIAL PERMIT.***Actions and Inspections******Status***

1 /29/2020 COMPLAINT  
RECEIVED - DEEMED  
ZONING NOT BLIGHT.

1 /30/2020 INSPECTION:  
VIOLATION EXISTS

2 /3 /2020 VIOLATION LETTER  
SENT (10 DAYS)

2 /6 /2020 PLAN FOR  
COMPLIANCE: PLOWS  
WILL BE REMOVED,  
TRUCK PARKED ON  
PAVED PORTION OF  
PROPERTY, TRAILER  
TO BE MOVED TO  
SIDE YARD AFTER  
REMOVAL OF  
FENCING AND  
FOUNDATION BY  
MARCH 6, 2020 (DUE  
TO FROZEN  
CONDITIONS)

2 /28/2020 TREE STUMPS  
REMOVED,  
EQUIPMENT MOVED.  
OWNER WILL BE  
REMOVING FENCE TO  
ALLOW FOR TRAILER  
STORAGE.

Progress Towards Compliance

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**97 GLENVIEW DRIVE**01/29/2020 REFERRED FROM  
BLIGHTRUNNING A BUSINESS IN A RESIDENTIAL ZONE WITHOUT A  
SPECIAL PERMIT.***Actions and Inspections******Status***

1 /29/2020 COMPLAINT  
RECEIVED - DEEMED  
ZONING NOT BLIGHT.

1 /30/2020 INSPECTION:  
VIOLATION EXISTS

2 /3 /2020 VIOLATION NOTICE  
SENT (10 DAYS)

2 /19/2020 CALL FROM OWNER:  
TRAILERS MOVED.  
READY FOR RE-  
INSPECTION.

2 /24/2020 INSPECTION: NO  
VISIBLE SIGN OF  
BUSINESS AND NO  
VIOLATIONS.

Compliant

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**4 HARTFORD AVENUE**02/28/2020 REFERRED FORM  
BLIGHT

RUNNING A BUSINESS IN A RESIDENTIAL ZONE.

***Actions and Inspections******Status***

2 /28/2020 COMPLAINT RECEIVED

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**102 HAWLEY STREET**

12/11/2019 ANONYMOUS

RECREATIONAL VEHICLE PARKED IN FRONT YARD WITHOUT PROVIDING BUFFER AND VEHICLE PARKED ON UNPAVED PORTION OF PROPERTY.

***Actions and Inspections******Status***

12/11/2019 COMPLAINT RECEIVED  
12/20/2019 INSPECTION:  
VIOLATIONS  
12/31/2019 VIOLATION NOTICE  
SENT (10 DAYS)  
1 /28/2020 INSPECTION:  
VIOLATIONS  
1 /28/2020 ADDITIONAL  
COMPLAINT RECEIVED  
1 /30/2020 SECOND VIOLATION  
NOTICE (10 DAYS)  
2 /24/2020 INSPECTION: NO  
VIOLATIONS

Compliant

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**50 KNOLLWOOD ROAD**

02/24/2020 ANONYMOUS

SEMI-TRUCK PARKED IN FRONT YARD.

***Actions and Inspections******Status***

2 /24/2020 VIOLATION OBSERVED  
2 /24/2020 COMPLAINT RECEIVED  
2 /25/2020 VIOLATION NOTICE  
SENT (10 DAYS)  
2 /27/2020 CONTACT WITH  
OWNER & PLAN FOR  
COMPLIANCE: OWNER  
WORKING TO FIND  
LEASABLE SPACE TO  
STORE SEMI NEAR  
HOME.

Violation Notice Sent

Will Monitor

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**366 MAPLE HILL AVENUE**

01/08/2020 TPZ MEETING

POSSIBLE UNREGISTERED VEHICLES. VEHICLES PARKING ON UNPAVED PORTION OF PROPERTY.

***Actions and Inspections******Status***

1 /8 /2020 COMPLAINT RECEIVED  
1 /13/2020 INSPECTION FROM STREET: VIOLATIONS  
1 /17/2020 CONTACT WITH PROPERTY OWNER. PLAN FOR COMPLIANCE: WILL BE WORKING WITH PROPERTY OWNER OVER TIME ON A PLAN OF COMPLIANCE.  
1 /30/2020 LETTER SENT - REQUEST FOR INSPECTION OF PROPERTY.  
2 /7 /2020 ADDITIONAL COMPLAINT REFERRED FROM BLIGHT  
2 /12/2020 PLAN FOR COMPLIANCE FROM OWNER: VEHICLES PARKED ON THE UNPAVED PORTION OF PROPERTY WILL BE REMOVED IN 10 DAYS.  
2 /24/2020 INSPECTION: VIOLATIONS REMAIN.

***Status***

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**76 MOUNTAIN VIEW DRIVE**

02/04/2020 DOUG

VEHICLES PARKING ON UNPAVED PORTION OF PROPERTY.

***Actions and Inspections***

2 /4 /2020 COMPLAINT RECEIVED  
2 /24/2020 INSPECTION: VIOLATION  
2 /28/2020 VIOLATION NOTICE SENT (72 HOURS)

Violation Notice Sent

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**206 RESERVOIR ROAD**

02/20/2020 ZEO

VEHICLE STORED ON UNPAVED PORTION OF THE PROPERTY.

***Actions and Inspections******Status***

2 /14/2020 VIOLATION OBSERVED  
2 /20/2020 VIOLATION NOTICE SENT (72 HOURS)  
2 /27/2020 INSPECTION: NO VIOLATIONS.

Violation Notice Sent

Compliant

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**259 RESERVOIR ROAD**

02/14/2020 ZEO

TRAILER STORED IN FRONT YARD ON THE UNPAVED PORTION OF PROPERTY.

***Actions and Inspections***

2 /14/2020 VIOLATION OBSERVED  
2 /20/2020 VIOLATION LETTER SENT (72 HOURS)  
2 /27/2020 INSPECTION: NO VIOLATIONS.

***Status***

Violation Notice Sent  
Compliant

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**41 ROSEWOOD DRIVE**

02/25/2020 CARONE

CHICKENS ON RESIDENTIAL PROPERTY LESS THAN 5 ACRES.

***Actions and Inspections***

2 /25/2020 COMPLAINT RECEIVED

***Status***

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**2 SEVENTH STREET**

02/07/2020 ZEO

VEHICLE PARKING IN UNPAVED PORTION OF PROPERTY.

***Actions and Inspections***

2 /7 /2020 VIOLATION OBSERVED  
2 /10/2020 VIOLATION NOTICE SENT (7 DAYS)  
2 /12/2020 PLAN FOR COMPLIANCE: OWNER WILL PARK ON DRIVEWAY UNTIL ADDITIONAL PAVING IS FEASIBLE.  
2 /27/2020 INSPECTION: NO VIOLATION.

***Status***

Will Monitor  
Compliant

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**39 SEVENTH STREET**

02/11/2020 ZEO

VEHICLE PARKING IN UNPAVED PORTION OF PROPERTY.

***Actions and Inspections***

2 /27/2020 VIOLATION OBSERVED  
2 /28/2020 VIOLATION NOTICE SENT (72 HOURS)

***Status***

Violation Notice Sent

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**60 SEVENTH STREET**

02/27/2020 ZEO

PARKING ON UNPAVED PORTION OF RIGHT-OF-WAY.

***Actions and Inspections***

2 /27/2020 VIOLATION OBSERVED  
2 /28/2020 VIOLATION NOTICE SENT (72 HOURS)

***Status***

Violation Notice Sent

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**22 STYLES AVENUE**

02/03/2020 FREEMAN

RV IMPROPERLY STORED ON PROPERTY, POSSIBLY ENCROACHING.

***Actions and Inspections***

2 /3 /2020 COMPLAINT RECEIVED  
2 /6 /2020 INSPECTION: NO VIOLATION

***Status***

Compliant

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**63 VIVIAN STREET**01/29/2020 REFERRED FROM  
BLIGHTRUNNING A BUSINESS IN A RESIDENTIAL ZONE WITHOUT A  
SPECIAL PERMIT.***Actions and Inspections******Status***1 /29/2020 COMPLAINT  
RECEIVED - DEEMED  
ZONING NOT BLIGHT.1 /30/2020 INSPECTION:  
VIOLATION EXISTS2 /3 /2020 VIOLATION LETTER  
SENT (10 DAYS)2 /7 /2020 PLAN FOR  
COMPLIANCE: OWNER  
WILL REMOVE ITEMS  
FROM PROPERTY BY  
2/20 OR SOONER.2 /20/2020 INSPECTION:  
EQUIPMENT  
REMOVED AND NO  
EVIDENCE OF A  
BUSINESS. NO  
VIOLATIONS. Compliant

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**24 WILLOW LANE**02/28/2020 REFERRED FROM  
BLIGHT

TWO (2) TRAILERS STORED IN FRONT YARD.

***Actions and Inspections******Status***2 /25/2020 INSPECTION:  
VIOLATIONS

2 /25/2020 COMPLAINT RECEIVED

2 /28/2020 VIOLATION NOTICE  
SENT (10 DAYS) Violation Notice Sent

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## **Town Plan and Zoning Commission**

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: March 3, 2020  
Subject: **Petition #03-20: Renewal of Special Permit #04-17 (Accessory Apartment) at 71 Eddy Lane. Steven and Laura Dutil, owner/applicant. Steven Dutil, 71 Eddy Lane, Newington CT, contact.**

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### **Description of Petition #03-20:**

This is an application to renew the Accessory Apartment special permit which was approved in 2017 with the condition that it be subject to renewal in three years, after a public hearing.

### **Staff Comments:**

This accessory apartment was originally approved in 2014 for three years, and again in 2017 for another three years. No reason was given by the Commission 2017 for making it a three-year approval, only that this is "normal".

I have no concerns with this request. Attached are some letters of support from the neighbors.

cc:  
file

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

## Minor, Craig

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**From:** Steven Dutil <stevendutil@yahoo.com>  
**Sent:** Friday, January 10, 2020 10:14 AM  
**To:** Minor, Craig  
**Subject:** Special Permit accessory apartment renewal 71 Eddy Ln

Hi Craig,

We have an accessory apartment at 71 Eddy Lane. I believe the date the special exception expires is 2/22/20.

Email or cell phone works. Thanks for your time.

Steven Dutil  
860-716-0682

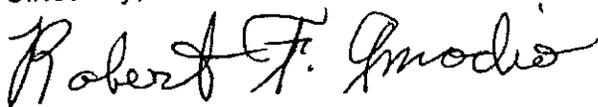
Newington Town Planning and Zoning  
131 Cedar Street  
Newington, CT 06111

Robert F. Amodio  
63 Eddy Lane  
Newington, CT 06111  
February 7, 2020

"Dear Madam or Sir,

I support the petition for the in-law apartment at 71 Eddy Lane, Newington, Connecticut 06111. If you have any questions please feel free to call me at the number listed below.

Sincerely,

A handwritten signature in black ink that reads "Robert F. Amodio". The signature is written in a cursive style with a large initial 'R' and 'A'.

Robert F. Amodio  
63 Eddy Lane  
Newington, CT 06111  
C. (860) 202-8522  
Email: bobdio9@gmail.com

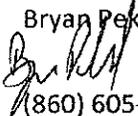
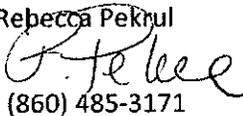
2/21/2020

To Whom it may concern,

We, the homeowners of 79 Eddy lane Newington, CT 06111, support the petition for the in-law apartment at 71 Eddy Lane Newington, CT 06111. If you have any questions, please feel free to call the number listed below.

Sincerely,

Bryan Pekarul and Rebecca Pekarul

   
(860) 605-5887 (860) 485-3171



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

Certified Mail: 9314 8699 0430 0031 6600 79

March 6, 2017

### CERTIFICATE OF ACTION

Steven and Laura Dutil  
71 Eddy Lane  
Newington, CT 06111

Dear Mr. and Mrs. Dutil:

**Re: Petition #04-17: Special Permit (Section 6.13: Accessory Apartment) at 71 Eddy Lane. Steven and Laura Dutil, owner/applicant. Steven Dutil, 71 Eddy Lane, Newington CT, contact.**

This is to inform you that the above request was approved, with a condition, at the regular meeting of the Town Plan and Zoning Commission on February 22, 2017. A legal notice to that effect was published in the New Britain Herald on February 25, 2017.

The condition was:

1. This approval shall be good for three years (expires February 21, 2020) but may be extended by the Town Plan and Zoning Commission after a public hearing if such extension is requested by the property owner.

This Special Permit will not become effective until you have filed this original Certificate of Action with the Town Clerk of the Town of Newington. The filing fee is \$53.00.

Yours truly,

Craig Minor, AICP  
Town Planner

cc:  
ZEO  
file

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



DRAFT

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

February 12, 2020

Chairman Pane called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in the Conference Room L101 in the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

I. **PLEDGE OF ALLEGIANCE**

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

Commissioners Present

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

Commissioners Absent

Commissioner Stephen Woods

Staff Present

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

III. **APPROVAL OF AGENDA**

Craig Minor: I recommend that we remove under New Business Item A Petition 21-19. The applicant has asked that we table it. He is not ready. He can't be here tonight.

Commissioner Claffey: I have a question on that. This has been on multiple months, weeks, is there any time table for approval from any other departments that are impacted by us continuing to table this?

Craig Minor: Not any other departments, we have actually gone beyond the 65 days required by statute where we need to act, so he has given us his permission to go beyond the 65 days. That's fine, there is no problem with that. In an e-mail.

Chairman Pane: I hope everyone understand that, thank you very much Mr. Planner.

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

Rose Lyons 46 Elton Drive: As you all know, I don't normally go onto Facebook and ask questions, I come right to the source. So Andrew, you probably know what my question is going to be. There was a firestorm about someone getting a letter from the Town about their

RECEIVED TOWN RECORDS  
2020 FEB 18 AM 11:38  
Town Clerk

Christmas lights, and then mentioned that it could have been his inflatables, and I'm just curious if we can set the record straight, as to what happened, how it happened, and is it going to continue to happen as a Town regulation or violation that was cited, and I would once again ask that if in fact you consider the Town being held to the same standards as it is holding its residents. I have this picture here that was provided to me, but I'm just curious.

Andrew Armstrong: It wasn't a zoning violation, it actually was a blight violation. It was not for Christmas lights, it was actually related to multiple inflatables, I would say eight, laying in the street, excuse me, across the lawn, sidewalk and the bushes. Personal decorations were knocked over, laying partially on the sidewalk and the property was just not being maintained as it should. If it was maintained, that would be fine, but it was just not being maintained up to community standards.

Rose Lyons: There have been other questions on Facebook about people that normally wouldn't be getting exciting getting other notifications from the Town.

Chairman Pane: I'm going to have Andrew hold off, when you finish all of your comments, then I will have him answer the last part of your question. Do you have anything else?

Rose Lyons: Basically it was on a recent flurry of comments on Facebook about people going out and what I heard the Town Manager say last night that he would be riding around and he would be reporting the violations. I don't have a problem with that, because I know that there are people who don't want to report their neighbors for fear of either retaliation or whatever the case may be, but I do think that the public should be notified that we are going to get tough and have people start cleaning up their yards.

I will clean up near my little lilac bush so that during the summer when I am out there entertaining my neighbors, we will have a little ambiance, but I get it. Showing the picture I have here tonight says it all. That is not acceptable, that is not what Newington should be about.

Andrew Armstrong: Thank you. The photo that was on social media didn't represent the exterior and all.

Rose Lyons: It doesn't give a true picture and it doesn't give you a chance to explain. That's why I am asking the question. I am not criticizing.

Andrew Armstrong: I appreciate it. Thank you Rose.

Commissioner Claffey: With what Rose said about some of our town, you know, downtown has the lights on the trees, are we following through with those departments maintaining them, or other items that are broken or like a parking sign that might be falling over, or a directional sign, just so the transparency between our own departments and the general public.....

Andrew Armstrong: I have never received any complaints and it wasn't Christmas lights that were the issue, so.....

Commissioner Claffey: It's not about just that, but I think there had been some chatter about other things, some people say we don't maintain our own buildings, why are you coming down so hard on us? I just want to make sure that we have the transparency with other departments, hey your building isn't up to snuff, you are held as responsible too.

NEWINGTON TOWN PLAN AND ZONING COMMISSION

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I. **PLEDGE OF ALLEGIANCE**

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Commissioners Present

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

Commissioners Absent

Commissioner Stephen Woods

Staff Present

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

III. **APPROVAL OF AGENDA**

Craig Minor: I recommend that we remove under New Business Item A Petition 21-19. The applicant has asked that we table it. He is not ready. He can't be here tonight.

Commissioner Claffey: I have a question on that. This has been on multiple months, weeks, is there any time table for approval from any other departments that are impacted by us continuing to table this?

Craig Minor: Not any other departments, we have actually gone beyond the 65 days required by statute where we need to act, so he has given us his permission to go beyond the 65 days. That's fine, there is no problem with that. In an e-mail.

Chairman Pane: I hope everyone understand that, thank you very much Mr. Planner.

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

Rose Lyons 46 Elton Drive: As you all know, I don't normally go onto Facebook and ask questions, I come right to the source. So Andrew, you probably know what my question is going to be. There was a firestorm about someone getting a letter from the Town about their

Craig Minor: The Town Manager told me that he will in fact hold each department that has responsibility for the physical things in town to do the right thing and maintain whatever they are responsible for. The Highway garage, the superintendent will keep it neat, the Parks and Rec Department, has a garage where they keep salt and whatever, and he expects the Parks and Rec Department to keep those buildings and the pools attractive. Just like private citizens should. So there will be no double standard.

Chairman Pane: Anyone else from the public like to come up? State your name and address for the record.

Brian DiChicchio, 188 Costello Road: I have talked with Town staff on a couple of punch list items and one of the questions that I have is an island, it's 20 x 40 and it's considered green space. I'm asking permission to consider decorative stone in lieu of grass. I would welcome your thoughts and comments.

Chairman Pane: And this is at the rear of the building, or the side of the building?

Brian DiChicchio: It's not the street side, you can't see it off the street, it's the rear of the building.

Chairman Pane: And would you be willing to put some plants in there?

Brian DiChicchio: Sure, it would dress it up a little bit.

Chairman Pane: I'm going to go to Commissioner Claffey because I believe that he has driven down there. This building is at the end of Costello Road. I commend you, you have done a nice job with the building. It's beautifully landscaped in front and it has come out nice. It's in an industrial area, it's at the end of Costello Road. Across the street are two vacant lots, and some woods at the end of Costello and just really beautifies the end of the road. I think you have done a nice job with it, and if I'm not mistaken Commissioner Claffey has driven the area.....

Commissioner Claffey: I have driven up there, I think it was the past Saturday, don't ask me why I went up there, I just hadn't been up that way in a while. I think it was because I recall that you came in a year or so ago about it, but I've been up there, nonetheless, I believe hydroseeded, good size trees planted in the front, have the stakes in it for growth. The addition, I think it was an addition or renovation addition changed some things, from a landscaping side it looked fine. I couldn't get to look where you are speaking of directly, because the gate was closed, it was access only for staff and trucks and it's not a public access where I think you are speaking of, the far back corner. You having made it look good, some of the other businesses around could make theirs look as good with the green space, it would be great so I don't see a problem, but we should get everyone's opinion and especially the Town Planner to make sure it meets the regulations.

Chairman Pane: Any other Commissioners?

Commissioner Lenares: I've never been to the property, but I'm just assuming that it is green space on your property and you want to put stone versus grass. It's easier to maintain, and actually it looks nicer. I'd be all in favor without even looking at it, that's great.

Chairman Pane: He does have the whole front of the building that faces the street is all grass and then the front of the building has stone and plants and then there is this long 20 foot area

towards the rear or the side of the building basically that he is referencing. So it's not like he is not going to have any grass, it's just that, if I'm not mistaken, he didn't want to have to go up and cut the grass on that one island.

Brian DiChicchio: Town staff has been out there and they talked it over and it's just this one island. The landscaping is per the plan and it's seeded.

Commissioner Fox: I wasn't aware of this item that this was something we did. If I had I would have gone up there and I would have had the same opinion as you two.

Chairman Pane: This just came up last minute but I think in our travels, Anthony just happened to go up there. I didn't talk to Anthony, and I try to drive the Town and look at things that might be coming up and everything, and he has done a nice job on the building. I don't have a problem and if there are no other objections, I do think if I'm not mistaken the Town Planner is going to want you to modify your plan, so I'll ask the Planner for a report.

Craig Minor: I was just looking at the regulations and unfortunately our landscaping regulations are scattered throughout different chapters of the book but there is a regulation that says the Commission can allow some of the required green space to be provided in the form of decorative stone or words to that effect, but the regulation specifically says that the Commission has to grant that modification if you will. So if the Commission is so inclined, I have no objection with the understanding that the applicant will have to submit a revised plan eventually showing the change in the approved landscaping.

Commissioner Claffey: Can he provide it in a small section instead of bringing in a whole 24 x 36?

Craig Minor: It's really no difference, anyway he still has to have his landscape architect make that change to the plan, yes, the plan is 24 x 36 but he still needs to make that change to the plan. That really wouldn't save him anything.

Chairman Pane: Are there any other comments or questions from the Commissioners? If there is no objection, I'm okay with it, thank you for doing a nice job on the building and the landscaping, and just touch base with the Planner at some time so that you can modify the plans.

Brian DiChicchio: Thank you. Thank you for your time.

Chairman Pane: Are there any other public comments?

## **V. ZONING ENFORCEMENT OFFICER REPORT**

Andrew Armstrong: Good evening everyone. I did not receive any new temporary sign applications as far as renewals or new. Are there any questions on the January 2020 ZEO report?

Commissioner Claffey: I have a couple of questions. One is very basic. I've been noticing a lot of, this report and a few previous, a lot of the, running a business in violation. Is there a way to put in the report what the business is that is being run so that we kind of have an idea. I don't want to assume. Say landscape, possible landscape business running, but further information required.

Andrew Armstrong: Sure.

Commissioner Claffey: That way we will know what rules or regulations they are by-passing. The other question I have is on page 4 and 5, the 584 Main Street, I'm trying to place this one and I can't, I think I know what house it is, is it the one that.....

Andrew Armstrong: It's a blue house, it's almost in line with, across the street from the B & D Auto, but it's a few homes down.

Commissioner Claffey: Do they have a green and yellow food trailer?

Andrew Armstrong: Correct.

Commissioner Claffey: That has kind of crept its way behind the house. First it was in the driveway, then it went a little farther back, farther back, okay. We've cited them and it's in court.....

Andrew Armstrong: Well, it's actually, we had a citation hearing on the 27<sup>th</sup>. The hearing officer upheld the citation and agreed with the Town, and they have 30 days from that date, which is February 26<sup>th</sup>, to appeal it to the court. At this time there are no further violations, and I've passed the property a few times and the food truck is gone.

Chairman Pane: And it really wasn't the truck parked there, it was the other associated activities that really contributed to this problems. For instance, possibly coming in late hours with a back up alarm, coming in and working in the middle of the night, am I correct?

Andrew Armstrong: Yes, and food deliveries, two commercial vehicles, a lot of different activities there.

Chairman Pane: Anything else from the Commissioners on this report? I did talk to Andrew about him looking at the regulations, now that he is going through the Town, there might be some areas where he might want to come back to this Commission and modify the regulations for cars being parked, trucks, things like that so I don't know if you want to touch upon that or if you are working on that.

Craig Minor: We have two related issues here, there are our whole business regulations of which we have a couple of different flavors, and we have the regulation that allows home owners to have one, what I call oversize vehicles on their property. That regulation is extremely complicated, nobody understands it. We tried to improve it a couple of years ago, we made it worse, I think both of those regulations should definitely be re-visited and the staff will come back to you with a simpler, proposed simplification of both of those in the future.

Chairman Pane: That will make all of the Commissioners happy that we modify that and make it a little more business friendly and something that is understandable.....

Craig Minor: And homeowner friendly too.

Chairman Pane: Homeowner friendly, yes.

Craig Minor: We want to protect the homeowners, yet the small business owner who bring a pickup truck home at the end of the day, that shouldn't be.....

Chairman Pane: Or is someone is on call and they have to take their vehicle home, there are a lot of different circumstances, so I trust that you both will be working on that and will come

back to this Commission with something that you think will improve those regulations. Thank you. Any questions from the Commissioners? Thank you very much.

**VI. APPROVAL OF MINUTES**

January 22, 2020 Regular Meeting  
January 22, 2020 Special Meeting

Commissioner Sobieski moved to accept the minutes of the January 22, 2020 Regular Meeting and the January 22, 2020 Special Meeting. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with six voting YEA.

**VII. REMARKS BY COMMISSIONERS**

Commissioner Claffey: Mr. Planner, I see on your monthly report over the past two months meeting with, and I'm going to use the term loosely because there is a brewery application and I notice that it comes up again and again, every month, and my question is more for all of the businesses that may want to move into town. Are some of our regulations causing some businesses problems with opening up in town because, let me use the brewery, we don't have something in our regulations, or other businesses that are causing conflict.

Craig Minor: If somebody wanted to open a brewery in Newington no problem, it's just another manufacturing activity, there would be no problem. Now days however people don't want to open just a brewery, they want a brewery and a tap room or a tavern associated with it and that gets tricky because the brewery itself is a manufacturing operation, but you don't normally want it in a retail zone, so other towns have already dealt with this, I've already gotten some really good regulations, simple regulations from other towns, and what I have been doing is as people approach me with an interest in doing this in Newington and I give them a copy of the regs that I have acquired and encouraged them to just submit it. They end up losing that location, or deciding to go somewhere else, so the people that I have been dealing with up until now have given up, but just today, literally today, I got a phone call from another individual who is interested in a brew pub. They have a location in mind on the Berlin Turnpike, great spot for it, and I just sent him a copy of the regulations which I would support which are pretty simple and hopefully then he will petition the Commission to adopt these regulations.

Chairman Pane: We as Commissioners could ask you to bring that in, couldn't we?

Craig Minor: You could initiate it, yes.

Commissioner Claffey: The question I have, not just for the brewery, I only used the brewery because it came up in your report in the past sixty days and I thought it was odd because it's really more carte blanche to every kind of, not that we have to change specifically, but are there any other, you know, when you talk about the TOD and stuff like that, but are there any other businesses off the top of your head and are like leaving because we don't have a simple regulation for that activity?

Craig Minor: No one has ever left Newington because we didn't have one, they just haven't yet come here because we didn't have a regulation that made it easy for them.

Commissioner Claffey: Like you said, if it was just brewery, if they just wanted to manufacture, then there are guidelines, but when they want to put in the little bit of, they want

to stay there and drink, you want to sell it, you want to do this. I think you get my point. Is there something lacking?

Commissioner Sobieski: Correct me if I'm wrong, but isn't there X number of permits for each town for liquor and liquor establishments and bars?

Craig Minor: Yes.

Commissioner Sobieski: And is the brewery itself considered a bar?

Craig Minor: I don't know.

Chairman Pane: There are only so many liquor stores allowed, but bars, I think it's only liquor permits. There are only seven liquor permits in town I think it is, but not bars.

Commissioner Fox: I think that is considered retail liquor, retail liquor sales, not grocery or beer permits.

Chairman Pane: I think you're right. Naturally I think the Planner would come to us if he saw a problem with some other type of business with our regulations, and I think on this brewery one instead of waiting for somebody to come into us, if there is no objection I would ask the Planner to bring it to us at the next meeting that he has it available. Is that all right with everyone?

Commissioners: Fine.

#### **VIII. NEW BUSINESS**

- A. Petition 41-19: Residential Subdivision at 55 East Robbins Avenue, Dornelas Home Improvement LLC, Owner/Applicant, Helton Dornelas, 65 Wood Pond Road, Farmington CT, Contact

Tabled

#### **IX. OLD BUSINESS**

None

#### **X. TOWN PLANNER REPORT**

Chairman Pane: We touched on your Town Planner report briefly unless you have something else?

Craig Minor: Just to give you a heads up, and I mentioned it briefly at the last meeting, you will be getting an application for a residential subdivision in the next month or two. It's that large meadow on the corner of Griswoldville and Deming Road. It's the Peckham property. Some of you may remember a couple of years ago it, at that time the Open Space Committee was looking into whether it would make sense for the Town to acquire it, but the family wants top dollar for it, so it wasn't viable to sell it to the Town. So they will be coming to you in the next month or so for a subdivision, a cul-de-sac, a dozen houses or so.

Chairman Pane: All R-20 lots I think.

Craig Minor: Right. Someone else mentioned that the Town Manager sees his role as being, more so than previous town managers, is to take an active role in Economic Development. He sees the Town Planner also taking an active role in Economic Development, so he and I will be working together attracting new businesses to Newington and doing whatever we can to keep the residents happy, so I will be doing more of that in the future. That's all I have for tonight.

## **XI. COMMUNICATIONS**

Commissioner Sobieski: Whatever I get I pass right out, everybody has gotten e-mails on it.

Commissioner Claffey: On the surrounding towns, any hot button items in the surrounding towns. West Hartford had a hot button over by Westfarms Mall, they called a special meeting so that they could change things. Any other towns around like Berlin....

Craig Minor: That's a good question. We get notice from CRCOG whenever a town that surrounds us is changing the regulations, and there are six towns that surround us actually. We get lots of regulations from other towns and things that they do, and I always look at them carefully to see if there is anything that would be of interest to Newington, and once in a while I will bring something to your attention but when Westfarms Mall wants to put solar panels on the far side of their shopping center, I didn't bother bringing that to you.

Commissioner Claffey: The particular item I was speaking of was the change of zoning that intersected the property line and the building, part of the building was in Newington and part of the building was in West Hartford. That whole, Babies 'R Us, they changed something so that they could have, it was weird, a retail business there, but they had a weird, that whole four corners of town, can have a weird, I remember when we put in the Sleep Number Bed...

Craig Minor: Yes, okay, I hadn't read anything but I know what you are referring to because the Attorney representing the business that wants to move into that building which is partly in Newington and partly in West Hartford, it is in the Commercial zone, which is a strange zone in Newington, there are only a couple of pockets of it in town, where very limited things are allowed, like conference centers, but there is this retail building in the northwest corner of Newington just on the town line, that it is in the C Zone, but it's a retail building. So the Attorney called me and said that her client was looking to buy it and she wanted to make sure that there wouldn't be any problems with the continuation of a non-conforming use is what it was, and I did some research as to how it got approved. At that time it was an entirely different zone and I told her that was no problem with Newington allowing you to continue the grandfathered use, so that might be what you were talking about.

Commissioner Claffey: Exactly.

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

Rose Lyons, 46 Elton Drive: I want to thank you for answering my questions on the Facebook item, and another question, is the zoning and blight violations, are they going to be just not complaint driven as they have been, the way I understood it in the past they were complaint driven, now it seems that you are actively going out, not you in particular, actively looking for these violations. Just a question.

The second thing is, during Public Participation, Mr. DiChicco came and spoke to you regarding some issues with his business. I've never seen it before in Public Participation. Is

this normal that a company ask for an opinion of the Commission before he applies for site plan approval? I have never seen it. It's just a learning thing for me.

POCD, I have not been watching that and am just curious as to when the next meeting is, public hearing?

Craig Minor: The public meeting, the public information meeting will be two weeks from tonight. It will be in lieu of TPZ's regular meeting and it will be in the auditorium at seven o'clock.

Rose Lyons: And the complete street project is coming here for an 8-24 referral I'm guessing, and would just like conformation because there is going to be a change in the configuration of town roads. It wouldn't have to come if they didn't touch anything? If they were just doing the state roads, they wouldn't need your approval? I'm just curious. Thank you.

Chairman Pane: Thank you. On the 8-24 that's correct. If it were just a mill overlay of the road, it would not be necessary to come, but because there is a reconfiguration here, they are sending the 8-24.

As far as the blight/zoning violations they are still going to be taking complaints, if there are any complaints, but they are taking a pro-active role in looking around the town, and trying to clean things up so that we have a good appearance in the town and I think that is a good thing.

The POCD was answered, coming up in two weeks.

The site plan for DiChicchio, he already had a site plan approval. The project is almost complete and yes, it's not normally where somebody comes in and asks for a small modification, but because this was such a small modification I let him speak instead of coming in and applying for a formal request. The Planner was extremely reasonable to also accommodate him, and that's what I think we are all about.

You talk about the blight and I think at the Council they talked about human trafficking and made reference to the Berlin Turnpike. It wasn't too long ago that we had, there was supposed to be a task force looking at the hotels on the Berlin Turnpike because there was trafficking going on, there were illegal drugs, there was prostitution, there were all sorts of things going on in a few isolated hotels on the Berlin Turnpike. Matter of fact, some other towns when they have hotels coming in to them they always reference Newington and it's not good stuff that they have to say. So, I'm not sure if there is still a task force or there isn't a task force, or there was never a task force, but I would like this committee to think about whether or not we should ask the Mayor, the Council and the Manager to look into improving, let's say not improving, but addressing a few hotels on the turnpike that are taking up a majority of, a lot of time from the police department. I'm hearing that they are there maybe four or five times a week. Even three times a week is way too much. If they are three times going to the same hotel, week after week after week, that's a draw on our police force. That's not a business that is probably complying with everything and I think, if I'm not mistaken, there were some safety concerns and possible violations for safety and whether or not they are truly operating a hotel or if they are operating an apartment or what, so I know some of the existing Commissioners are familiar with this topic, this might be new to some of the other Commissioners. This is something that I think we should think about and then maybe at our next meeting we should come to a conclusion on steps that we can take to encourage some improvement.

Commissioner Claffey: We had Andrew run some information, he just went out, picked a bunch of different ones, I don't think he piggy-backed onto any, got with Chief Clark, came back with a report, and I think it died after that. This was last spring maybe. The discussion, we were doing some other things, we had, the train station came in....

Commissioner Sobieski: I agree with you one hundred percent Domenic that we need to do something up there, my thing is, and I think we asked Chief Clark to get us some rough idea of what the complaints are. If hotel A for instance gets a lot of complaints, that is something that should be honed in on. I also think we need to work with the Police Department, there is something going on up there, it's either the Town or it's obviously affecting Wethersfield and maybe Berlin, I don't know. I don't know what ones we are talking about, but I do see Rooms for Rent on a weekly basis which I don't think is what they were supposed to be doing, I could be wrong and I think that was one issue and then there is one renting for three or four hours, whatever the hell it was.

Chairman Pane: I think it is something that we should look at and try to have the Town try to look at it, and I think that you are right, it is something that not only the Zoning Enforcement Officer but the Police Chief and the Town Attorney, along with the Town Manager need to collaborate together and any necessary staff to address the problem.

Craig Minor: And Human Services because for a lot of people, this is their last resort. They are not criminals, they are just people with no money. They may have minimum wage jobs, so they have enough money to pay monthly rent at one of these places, but they don't have enough money for two months deposit to get an apartment.

Commissioner Claffey: That was the tough situation that we have to try to eloquently try to deal with.

Commissioner Sobieski: When I was on, we always had the one at the top of the hill, Siesta Motel. That was good for a call a week, or two. I'm talking 1970.

Chairman Pane: So the last thing is, I asked the, at one of our last meetings we talked about the regulations for the TVDD compared to our TOD regulations and I had the Planner make everybody a copy. This is the lengthy TVDD regulation. If the Commissioners could look at it so that we could have a conversation as to whether or not you want to keep this going or whether or not we want to have a regulation that is consistent with all three of our potential TOD areas. I think we all, if a train station is coming, I think we are all in favor of it, but we just want to protect the certain areas, protect the Industrial and protect the general area, so it's not like we are against the train station, but we want it to work within the Town. Even Glenn, who is doing our 2020 plan had some concerns about how this, depending on what we do with that area could take away from the Town Center and we certainly don't want to take away from our town center. So, all I ask is, if you could look at this between now and the next meeting so we could have a conversation about it.

Commissioner Claffey: To clarify this document, this is just TVDD for Cedar Street for the acreage and land south.....

Craig Minor: If you look at the very last page.

Commissioner Claffey: I just want to make sure some of the newer Commissioners don't confuse it with the TOD, which is in the same vicinity but separate.

Craig Minor: On Fenn Road.

Commissioner Claffey: On Fenn Road and Cedar and the way down on Willard.

Craig Minor: We don't have anything over there, we don't have a TOD for Newington Junction.

Chairman Pane: That's why I'm asking if we could group the three areas together with some sort of friendly regulation that works, that states that we are not against the train station but we want to make sure that the surrounding areas are protected and that it works. Any comments or questions on the TVDD, or anything else?

### **XIII. REMARKS BY COMMISSIONERS**

Commissioner Gill: I have two questions. As far as charging stations, Tesla type of station for recharging vehicles, do we have anything in our regs as far as those being allowed, or how does somebody get that pushed in.

Craig Minor: We do have a few in town, some on private property, some like the Town Center parking lot. The ones that are on private property, basically the owner wanted to do it, he wanted to put in a charging station in his parking spaces so we just allowed it. We didn't make a big deal about it. Some towns mandate a certain percentage of charging stations, the cities, the bigger towns, and it makes sense to mandate, if you believe in government regulations, it makes sense to mandate some number of charging stations for the big cities, but Newington, it didn't seem to be a problem for us to bring it to you to recommend that you amend your parking lot regulations to require a minimum number of charging stations, or bike racks which again some cities require. I think at some point you probably will feel the need to adopt a regulation, but as of now, we don't require it, and we don't make it difficult for someone to do it if they want to.

Commissioner Gill: Okay, I just, I work for Eversource, and Tesla is coming in with a large scale charging areas, and the equipment that has to be put in is pretty good size also. One of my questions is, when that is put in there, do those parking spaces, are they now gone because they are being used.....

Chairman Pane: It is a parking space, but it has to be a parking and charging at the same time, right?

Craig Minor: I think it would depend on.....

Chairman Pane: How many?

Craig Minor: How many and what the purpose of them are. If some of these charging stations are for employee parking let's say, and then wouldn't be available for customers, and we require a minimum amount of customer parking, then maybe we would have to look closely at that, but without the specifics, I wouldn't be able to speculate, I'd be happy to meet with anyone and we can brainstorm whether Newington needs to amend the regulations or not to do whatever it is that Eversource or Tesla is thinking to do in Newington.

Commissioner Gill: I'm not saying that it is in Newington per se, it's just being rolled out right now, and Tesla has a lot of money and they are going at this in large areas.

Chairman Pane: We have one in the center of town that might have come from Tesla.

Craig Minor: No, actually we got a grant from the State to put that one in.

Commissioner Sobieski: There is one at Best Market and two I believe on Pane Road, some contractor has one.

Craig Minor: That's what I was referring to before, he just put them in, that's fine. No problem, and the same with Best Yet, they have two there also and they just put them in. I mean, they got a building permit for them, but it didn't need to come to us. I was aware of it, but it didn't need your approval because it didn't affect the number of parking spaces so it was no problem.

Chairman Pane: Any other questions?

Commissioner Gill: We had talked about at the POCD meeting, as far as bike paths, and I saw that the, Robbins Avenue, that project there, is going to have bike lanes there. Now who, that's our Town Engineer that is working on it, so if I have questions on that I can contact him?

Craig Minor: Yes, that would be good.

Commissioner Gill: One of the thoughts I have is that we were talking about bike paths maybe being put into the old 291 property and there is a possibility that that could tie in with this bike path that is going in the roadways. I was just wondering, as far as the engineer, how, could it tie in?

Commissioner Sobieski: I think, if I'm not mistaken, I went to the meeting at the Senior Center, this was several weeks ago, it is the second project on Maple Hill that will tie that in. I think they are going from there, and Craig, correct me if I'm wrong, I thought they were going from there over to New Britain Avenue.

Craig Minor: To Cedar Street actually.

Commissioner Sobieski: And to Cedar Street to tie it in.

Commissioner Gill: So it's going from Cedar Street, Maple Hill, down Robbins.....

Commissioner Sobieski: That another phase, this is the first phase.

Chairman Pane: Will that project come to us at all or no?

Craig Minor: The project that has been in the works for a year and a half now, what the Town Engineer called the 2018 grant project. That will come to you because they are proposing to make changes to the configuration of Robbins just to the east of where it meets with Maple Hill and because of the way it was written technically that will come to you on a referral, so yes.

Commissioner Claffey: Is it Robbins or is it Golf?

Craig Minor: It's where Golf intersects Robbins. That little parallel street, the name escapes me, right there, the design of this road involves changing the way that Golf intersects Robbins, so that will come to you for that reason.

Commissioner Sobieski: Golf will be capped off and you are going to come down through the green and tie in so there will be a four way interchange instead of an off-set dog leg.

Craig Minor: Right, so those plans will be brought to you and the Town Engineer will explain it to you and then you will have the opportunity to comment on it.

Chairman Pane: Any other questions from the Commissioners?

Commissioner Claffey: I have Mr. Minor, two concerns. One is on Alumni Road, there's, if you are coming from the Willard side, there is a big holding lot in the back for trucks, on the north side, I don't know if over time they got rid of the entry way and it's just mud, but sometimes they are tracking mud all the way down Willard, and it's not from the new place that they are just bulldozing.

Craig Minor: Okay, we will look into it.

Commissioner Claffey: Then secondly, we talked briefly about the hotels and I notice, to try to have transparency I've noticed we have gone after neighborhoods with blight, if you use the Grantmoor for example, on the Berlin Turnpike side they have bedsprings, old furniture, it's just an eyesore to begin with and I know that we cite residences for minor things and this has been going on. I know that they had a fire, and they are renovating, but you know..... I'm using that as an example that the blight can be on both sides.

Chairman Pane: I think the intention is to look at it throughout the Town, whether it is homeowners or businesses. Their intention is to have a consistent plan, a fair, consistent plan for everybody. That includes the residences and the businesses.

Commissioner Sobieski: Is the Grantmoor still open? I thought they had a fire and it wasn't safe any more.

Craig Minor: They had a fire, and I believe that they were back open rather quickly actually.

Chairman Pane: Any other remarks from Commissioners?

#### **XIV. CLOSING REMARKS BY THE CHAIRMAN**

Chairman Pane: I have nothing else. I want to thank you for a short meeting and if there is no objection, a motion to adjourn.

#### **XV. ADJOURN**

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Fox. The meeting was adjourned at 7:50 p.m.

Respectfully submitted,



Norine Addis,  
Recording Secretary

2020 MAR -2 AM 9:48

NEWINGTON TOWN PLAN AND ZONING COMMISSION

February 26, 2020

Regular Meeting

*John O. Pignato*  
Town Clerk

Chairman Pane called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in the Auditorium in the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

**I. PLEDGE OF ALLEGIANCE**

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

Commissioners Present

Chairman Domenic Pane  
Commissioner Michael Fox  
Commissioner Garrett Havens  
Commissioner Stanley Sobieski  
Commissioner Stephen Woods  
Commissioner Thomas Gill-A

Commissioners Absent

Commissioner Anthony Claffey  
Commissioner David Lenares  
Commissioner Braverman-A  
Commissioner Bryan Haggerty-A

Staff Present

Craig Minor, Town Planner

**III. WELCOMING REMARKS**

Chairman Pane: Welcome to the February 26<sup>th</sup> meeting of the Planning and Zoning Commission. We're here to have a presentation of the draft of the POCD. I'm going to turn this over to Glenn for the presentation.

**IV. PRESENTATION OF DRAFT POCD**

Glenn Chalder: Mr. Chairman, Members of the Commission and Newington residents who are here tonight, my name is Glenn Chalder. I'm a land use consultant and I've had the pleasure of working with the Planning and Zoning Commission on preparing this Plan of Conservation and Development and also had a chance to work with the Commission ten years ago on preparing the current Newington Town Plan. I've enjoyed this opportunity and excited to help Newington address the issues in its future.

What I have done here for tonight's meeting is put together a power point which will allow me to go through the material very quickly, provide an overview of the Plan and then we can devote as much time as we want to public discussion. The overall program is to talk about what is the Plan of Conservation and Development, what is in Newington's Plan for the future and then get community input.

First thing I wanted to talk about is, what is a POCD? A Plan of Conservation and Development is an advisory document that is used by the Commission, by the municipality, by other town agencies to help address issues which are likely to come up in the future, mostly related to the physical development of the Community. The Plan is helpful because it outlines strategies about where the Community thinks it might want to go in the future and really start to address the question about what kind of community we want to be, what Newington wants to be.

Newington has a history of preparing plans over the years and these plans have all worked together to create the community that we know today and it is in that spirit that this Plan is being prepared to guide the types of activities that will happen in the future. The Newington POCD right now has six parts to it. There is an introduction to kind of identify and set up issues for discussion; there is a conclusion at the end that starts to wrap it up, and in the middle there are four sections of the plan. The first is Conservation Strategy, this we want to preserve or protect in Newington. There is a section on Sustainability strategies, how we can be a more sustainable community in the future, Development strategies, how we might want to guide growth or change in our community and then Infrastructure is about the services and facilities that we might want or need. I will go through and give you an overview of the Chapters.

In the Introduction section there are really two chapters. The conditions and trends which are affecting Newington overall. Newington's population is projected to continue to grow and increase and actually this is different from many other communities in Connecticut which are experiencing flat or declining population projections for the future. This is a good sign for us in terms of interest and growth in the Community.

At the same time, our age distribution is changing. As a result, many of us who have lived in Newington for years are getting older, but we are also attracting new and younger residents and the changing age population of the community can sometimes have significant influence in the Plan and effort in terms of what we might need in the future.

We have a strong economic base; housing growth has slowed for a couple of reasons. First of all, the economy has not been as robust as it has been in the past in terms of housing growth, and Newington is predominately developed, so there is not as much developable land available as there was in the past. Most of our land area is developed or committed so as a result the development of the future could be redevelopment of existing sites rather than new subdivisions on undeveloped property, etc. These are some of the trends that are affecting the community.

There was a public meeting back at the end of the summer to ask people their thoughts and ideas about issues that were important to them. This is not a large sample size, but these are some of the comments that came through from the meeting in terms of what people expressed. It kind of sets the stage for some of the issues that we are talking about as part of the plan.

Under Conservation strategies or related strategies, that would be the green box at the top, some of the comments that people had expressed were, Newington should preserve more open space; felt that Newington appears and feels like a small community and we should continue to nurture that type of feeling in our community; and also strive to become a more sustainable community in the future.

In terms of development strategies, people thought that Newington should maintain a strong tax base and fill up the empty spaces in the existing buildings; thought the town center's prime real estate should and can be improved; and the transit nodes, both the two fast track stations and the possible future DOT train station are both an opportunity and a challenge for Newington and something to be considered as part of the Plan.

In terms of infrastructure issues people thought that the Town should maintain the community facilities that we have; people recognize that Newington is affected by traffic flow on many of our roads, and this is an issue, and then finally people thought they would like to make sure the POCD for Newington continue to be updated in the future.

So this is the way that the Plan was set up, to respond to the issues that we heard from the Community. As I indicated before, there are four major sections, Conservation and Related Strategies in terms of protecting what is important; Sustainability Strategies in terms of becoming more sustainable; driving development and change as part of the development strategies; and the infrastructure strategies which as providing for services and facilities. I would like to go through and talk about what is in each of these to give you an overview of the Plan.

In the Conservation Strategies there are three chapters; natural resources, open space and community character. The Natural Resources chapter identifies with a map that shows the location of natural resources in Newington. The Plan strategies are focused on protecting water related resources and protecting other important nature resources as well. Every chapter of the plan has a page which contains what we call Policy and Action Steps. Some of the blue header, Policies are on-going activities of the Commission that they might review and discuss as new applications come before them, Commissioners reviewing whether it is consistent with the Plan, so these are somewhat passive and reactive as to good things for Newington to do and these are the policies and procedures if you will for the community and for the Commission.

In addition, each chapter has action steps within it, and these are actually pro-active steps that the Town can and hopefully will take to implement Plan recommendations. Each of these also identifies who is responsible for each of these policies and action steps and that is a way to help us move forward with implementation. So that is the summary of the natural resources section of the Plan.

In terms of Open Space, again, much of Newington is already developed but the plans continues the strong desire to preserve Cedar Mountain and it is identified in the Plan as being this area, and efforts to preserve that as open space. The Commission has also advocated for opportunities, perhaps create a trail greenway system within the community that could tie some of these open space areas in neighborhoods together and allow people to get around. Because of the rail right of way, the old 291 right of way, there are opportunities for corridors which might provide a framework for a trail greenway system and this is something the community can work on in the future.

The third chapter in the Community Conservation section is about community character. There is a map that identifies significant community resources. The Plan recommends retaining and enhancing the overall character in the community and again Cedar Mountain shows up here, preserving the historical resources, the map shows the location of historic resources and the community's scenic features, but also promoting community events that will enhance the community and the Plan recommends that those efforts and activities continue.

There is a whole section in the Plan on Sustainability Strategies. Given what we are leaning about climate change and other things, this is an area of growing interest to municipalities. There is actually an Organization called Sustainable CT which organizes efforts around the State for municipalities and gives them certification in their efforts to be more sustainable. So the Plan contains recommendations about being more sustainable in terms of energy, water, waste, managing storm water, addressing climate change, and also becoming more resilient.

If we are going to have impactful events in the future, how can we avoid or mitigate those activities and that is why sustainability is called out as a new section of the Newington plan so that we can start to move in this kind of direction as we move forward into the future.

The next major section of the Plan, Development Related Strategies has four chapters; Newington Town Center, Opportunities and Area Sites which exist in the community, and the two chapters on Economic Development and one on Residential Development.

In terms of the town center, the town center is a significant opportunity area for Newington to grow and maintain and enhance the vibrancy and character of this area. The Plan suggests that it might be a time to undertake a town center charette. A charette is a community driven design process where we look at our town center and ways that we could address issues and opportunities and actually transfer our thoughts into a map, a plan or graphics that would illustrate what we are looking for. Then we can use that to promote positive outcomes for the town center area. Then of course the third thing, as a result of that vision looking to modify the regulations as appropriate. There could be a number of opportunities to improve the town center, encourage new development, and the Plan promotes and encourages that. In this section of the Plan we have two case study boxes, one case study talks about the importance of mixed use. There are a number of locations in zoning where we talk about a residential zone and the uses are primarily limited to residential but in the town center these areas could thrive by mixed uses, where in fact we can have the same uses, or different uses on the same site, and this can promote the vibrancy and the character that we would be looking for. In addition, there are also some guiding principles in the Plan that the Commission can use when they are reviewing new development in the town center area in the future when the opportunities arise.

There is also a chapter in the Plan identifying some key opportunity and sites and these are areas in Newington where we recognize that market forces and land availability may create opportunities for new development or changes in development. We want to make sure that we have good programs and regulations in place to address these. Those areas are the Newington town center area which we just talked about, and it shows up again in this section of the Plan because it is an opportunity area for us.

The possibility of the future train station which is out here on Cedar Street, West Cedar Street and Newington Junction Fastrack Stations, the Berlin Turnpike is an opportunity for redevelopment as uses along there change. I also have identified another area which we are calling Town Center East and essentially the town center core area is the area right around Cedar Street and Main Street, Constitution Square, but town center east is the area between that and the mountain, the ridge. This is an area which again has some potential for additional uses in the future. The Plan identifies these opportunity areas, and suggests strategies for each of them which the Commission could use to guide future activities in these areas.

There is also a chapter on Economic Development. The areas on this map that you see colored are the areas in Newington which are zoned for business or industrial development. Our goal in the Plan is to continue to promote economic development in these area, to re-use and re-develop sites. I mean, years ago we had the Fafnir facility, now being used for different uses or activities, but we have to continue to encourage economic development business within the community, but at the same time the Plan has a priority about protecting residential areas and the Plan suggests possible changes to our landscaping regulations making sure that even if the buffer width can't always be provided, that we could increase the number of trees for planting or putting fences or walls, or berms that continue to protect residential areas.

In the chapter of the plan in terms of residential development we are seeking to address the changing housing needs of the community. As people are different ages, they are also in different stages of their housing needs and desires. When they start out, perhaps they are living in an apartment, they buy their first house and then as they get older perhaps they are thinking of an opportunity in the future of places that they might want to live, and the Plan suggests that we continue to seek ways to address these types of housing needs. Housing that is affordable for people, housing for an aging population, and diverse housing types. As people live longer, our life spans are increasing, their need for different types of housing may be changing at the same time.

These opportunity sites that we identified earlier are also places that might provide an opportunity for us to address some of these changing housing needs in the future.

The next section of the Plan is the Infrastructure Related Strategy, and there are four chapters in here; Community Facilities, Vehicular Transportation, Pedestrian, Bicycle, Auto Transit Transportation and then Utility Infrastructure.

In terms of community facilities, the plan identifies the location of the community facilities in Newington, gives a list of them, suggests we address some of the identified needs in the future on community facilities and then also monitor possible future situations that may arise or occur as our age demographics change or other changes that occur in the community just with the passage of time.

In terms of vehicular transportation the plan recommends that we address safety and capacity issues in some of the problem areas that people are familiar with in town. A number of the roadways in town are in fact state highways so it is going to involve a partnership with the state on resolution of some of these issues, addressing congestion, etc., possibility of traffic calming, where people are trying to by-pass busy intersections by traveling through residential neighborhoods. The Plan also has recommendations related to pavement management. That is, if we let a road sit and don't maintain it, we get cracks and then eventually potholes, and then alligator surface on the roadway. It really deteriorates and costs quite a bit of money to rebuild it. The Plan suggests that if we were able to do just little bits of maintenance along the way we can refresh the road and keep it going without spending a lot of money, but if we don't, the roadway will fall off and eventually the rebuild will be very expensive. This could be an important economical fiscal strategy for the Town to think about for the future.

There is a section in the Plan about pedestrian bicycle and transit. The staff of the engineering department has been working on a pedestrian plan in terms of location of sidewalks, completing the missing links if you will on our sidewalk system and plan to support that effort and continue to promote overall pedestrian accessibility in the community. There is a discussion in the Plan, a recommendation for complete streets policy. Complete streets is really a phrase which is used, but for years the roadway was considered to be the sole place for the automobile. The complete street philosophy is where we can actually use the road right of way to address a lot of other types of transportation needs, including pedestrian, bicycles, etc., and this is something Newington should consider and encourage in the future. The Plan contains recommendations for bicycle usage, how we can provide safety and a combination for bicycle users and also transit services, both regular, these green areas here are areas that are within walking distance of existing bus routes in the community. We do have Dial-A-Ride, services for the elderly in the community, the Fastrack bus way, and then also the commuter rail is also discussed in the POCD.

In terms of utility infrastructure, Newington is very fortunate, we are part of the MDC system so our water service network and our sewer system network are quite extensive. This also supports the type of growth that we want in the community. The Plan recommends that we manage the water and sewer service. We continue to look at ways to upgrade our drainage system in the community. We have done quite a lot in the last ten years in terms of transitioning our drainage from focusing on primarily on a pipe system to a balance between pipes and infiltration of water.

The Plan recommends that you try to seek ways to improve internet speed because so many people are using internet devices, phones and computers, etc., and speed is just as important on the computer as it is on a roadway, and also to improve wireless services. This is a map showing wireless coverage, Newington is quite fortunate to have good coverage throughout the community but the nature of the cell phone system changes in the future, enhancing this system is something that can provide significant benefits for the community. Now days cell phones are operating on what they call 4G, moving from 3G to 4G service and you have perhaps heard about the future being 5G service. That will enable a lot of things to happen so continuing to improve wireless service within the community will allow us to do more with our phones in the community overall.

Conclusion is the last part of the Plan, people get really excited when I talk about the conclusion of the presentation, but there is an entire section in the Plan, a chapter about implementation strategies. Of course it recommends the policies in the Plan, who is responsible for doing, implementing these particular policies and also completing the action steps. By crossing off these items in the check boxes saying we have done this, we can make demonstrable progress in implementing the Plan and this chapter of the Plan talks about how we can do that.

So that is an overview of the Plan, and speaking for the Commission, we are excited to hear people's thoughts, if you will, about the Plan and we will refer to your feedback.

## **V. PUBLIC COMMENTS**

Chairman Pane: I'll open this up to public participation. If anyone has any questions or concerns or ideas, please come forward.

Carla Santora, Francis Avenue: I have a question where the opportunity sites are for the affordable housing.

Chairman Pane: Okay, we'll have Glenn answer that right now.

Glenn Chalder: I think the sites that are identified on here are the very same sites that were identified as opportunity areas in town. These are areas in the Town Center and the Town Center East, near the train station, the proposed train station, near the Cedar Street busway station, and the Newington Junction busway station. These are areas that because of transit availability to these areas and the availability of (inaudible) that these areas could possibly accommodate additional housing in the future in a walkable village type configuration and the Plan suggests that these are areas that might be appropriate for housing development in the future as opposed to areas elsewhere in the community which don't have those services.

Carla Santora: Okay, so I'd like to talk about the Newington Junction area. I heard that on the 2020 Plan of Conservation and Development we're looking for a zone change to a TOD. It would be the Willard Avenue area from West Hill North to Spring Street on the east side,

and as well develop Francis Avenue, a residential area by the train station, Cashway and the Amtrack property. I'd like to make everybody here aware that Cashway and the nursery are between the railroad property. As a resident of Francis Avenue, I'm very strongly opposed to the development that takes away any existing houses and reduces the Industrial property. Some of the houses on Willard Avenue are older and have beautiful architectural character about them, plus they may be historic. I also like to point out the increased traffic flow. We can't even handle the amount of traffic that we have right now, people don't stop at stop signs, they don't stop at red lights, and both the roads might have to be widened and the potential of trying to widen Francis Avenue, there is no room to do that. They took several feet years ago, there is nothing left. You have a bridge, you have property and there is no way that you could widen that road that I can see. If I'm right, the type of residential property that you are proposing causes a strain on town services and there is not a lot of return on taxes. Industrial and commercial brings in revenue with the least amount of draw on our town services.

I would like to know why you are pushing this area when you already have TOD areas at Myra Cohen Way, some on Fenn Road, as well as where the proposed train station is going to be, is TOD. That would actually total three, I'm not sure why we need a fourth one. Is this because someone owning property in this area, a like was posted on Facebook trying to get the state to approve the train station. Is this for their own gain, or what is best for the existing property owner and the residents of the neighborhood? Why would you want to destroy the character of the residential neighborhoods? This makes no sense. It definitely looks like a way for someone to make money. I'd like to know why you care more about the developers and the people who don't even live in our town than you do about the current residents of this area and those of us who have lived here for many years.

If that is the case and the TOD zone is needed, why don't the people supporting this look to make the TOD zone on their own streets and neighborhoods. Why is it always Newington Junction that we are arguing about? This area is not a full interchange, with Fastrack and railroad stations. Other locations in the Cedar Street area make more sense because of where the developers plan on putting the work force housing.

As for a comment made, one TOD zone for all areas, this Commission has said each area is separate and distinct. Please review your notes from when Frank Aieta was Chairman. This was discussed at length, and if I recall Mr. Chairman, you agreed with it, so what has changed?

Chairman Pane: Thank you. Anybody else?

Rose Lyons, 46 Elton Drive: I wish the (inaudible) had come up first before the presentation and then maybe we could have heard a little better. Granted, we are in the back of the room, but the speaker should be, the microphone should be used.

As far as Newington Junction, I sat through conversations about Newington Junction with the TPZ, I listened to a presentation of the Newington Junction study. There was supposed to be a charette, and at that meeting the consultant said it was the first report that he had ever completed without having a charette. I found that odd, but not surprising because the public was not invited to those meetings that were held, and it wasn't until I overheard a reporter being asked to the meeting on the results of this report that the public did get access to the meetings. I've stood in this room for the 2020 Plan, I stood here for Toll Brothers, and the same people that were here then are here now, people that are involved in the town, Town Councilors, Open Space people, Conservation people, a few residents and I'm happy to see that they are here and are speaking up for their neighborhoods, and I've said this at TPZ

meetings before and I'll say it again, we need to have a Plan that all the Commissions are on board with. We need to know that Open space, Conservation, TPZ, Economic Development, the Town Council all have the same vision. I sat in the room when Mayor Wright gave us the vision for Newington center. Build it, they will come, talk about it, nothing will get done was his mantra. There were thirteen studies then, and I think he was Mayor back in 2000 and I don't know, 9 or whatever. I've lost track of time, but just seems that we keep going through these studies and these talks and these informational sessions and unfortunately, like I said, we have one, two, three, four, five, six, seven, eight, nine, ten eleven people, twelve people here tonight. Yet, I have to say it, but they are going to be on Facebook complaining about whatever you do. So, if you have something to say, speak, come and say something, otherwise, wait another ten years.

Chairman Pane: Thank you, anybody else wishing to speak?

Richard LePierre: With regards to pedestrian and bicycle traffic, you have three options. You have widen roadways, make the lanes narrower making traffic more difficult, or some combination of the two.

Chairman Pane: I'll have the Planner talk about that.

Glenn Chalder: The Plan indicates that more investigation be done on this particular issue. It doesn't identify any particular road or any particular solution. The state, the Department of Transportation on state highways has identified the roadways in town and their suitability for bicycle usage. Unfortunately that map is hidden behind the one that you see about transit and rail, but it's color coded and there are certain roads, and certain road segments that they recognize bicycle usage on this section of roadway is discouraged. This is something which is not really a great bicycle route, and then on the other hand, there are some state highways in town where the traffic and the width of the shoulder and the speed of traffic are areas that could accommodate bicycle traffic there. I think what the Plan advocates for is we open our minds to the concept of bicycle transportation and look at local roadways too. I agree that those are the choices that are available, you can either go off road, or you can go on road, and either carve out the shoulder or look to widen the roadway. I think that has to be done on a case by case basis. The only thing I think is different today then it was ten years ago is that the State has moved more towards the policy of narrower lane width. In the past it used to be 12 feet and higher. The State is investigating 11 foot travel lanes because it actually controls and manages traffic better. Wide lanes, people are not as careful as they are, and it is actually a traffic calming affect, and so there are certain roadways, by the narrowing of the lane width from 12 to 11 or 13 to 11 actually creates a shoulder that could accommodate bicycle use. I don't think we are going to solve that tonight, the Plan simply advocates us working on this over the next ten years so the people who want to bike will have a safe place to do so and won't impinge on vehicle traffic as well.

Chairman Pane: Any other public comment?

Carla Santora: I'd like to comment.

Chairman Pane: If you could wait we still have some people, and I would be happy to give you another change to speak up.

Gail Budrejko, 21 Isabelle Terrace: Having been at some of the other TPZ meeting where you discussed this, I think it is a good plan, a solid Plan. I appreciate the efforts and the possibility of commenting on it again.

My only concern is the strategies are wonderful but my concern is with the town center and the bike strategy. We have a highway running through the town. We're a small town, but Cedar Street is a highway, and it's not just at peak hours, it's all times of the day. Whenever you are looking at developing or revitalizing the town center people are not going to want to sit outside at an outdoor café when you can't hear because of the trucks going by, you have pollution, you have cars at all times of the day. When my nieces and nephew come, I have to hold their hands when they are on Cedar Street because I am afraid of even a car going off, or them running into traffic, so you have a highway along side Main Street which is very congested and there is no parking, so that really, the possibilities seem very creative, but until you get rid of the traffic on Cedar Street not only are you going to be limited in the town center but also Newington is not a bike community. I'm not talking about bike paths, I'm talking about just the ability to just ride your bike on the side of the road because of the traffic. Until the traffic calming occurs and is resolved, some of these wonderful strategies are not going to be able to be implemented. Thank you.

Chairman Pane: Thank you Gail. Anyone else wishing to speak that hasn't spoken?

Alan Paskevitch, 100 Cambria Avenue: Following up on Hartford's plan, 2030 where highways were intersecting from Newington to Hartford, with discussion with people there that we have this problem with (inaudible) and Hartford is working on a plan to try to get a better traffic plan. My plan is this, because we don't have any land along the highways and we need exchanges from Newington south and north. A plan needs to be proposed, and I proposed this to the legislature myself that we need a mono-rail, a mono-rail overhead through Hartford, north, south east and west because people in this community and Hartford county are not going to give up their cars. No one in this community is going to take a bus or a train getting out of their cars. We aren't getting tolls, we defeated tolls, so where is the revenue going to come from? Okay, bonding on an overhead mono-rail, that's where we need to go. It's an European concept, as been in for a long time and we need to do it now and not wait. Thank you.

Chairman Pane: Thank you very much.

Neil Page, 211 Eddy Lane formerly from Broadview Street: I do want to say I reviewed the entire plan and overall I think it is a job very well done. Obviously there are a few tweaks that need to be made, but I think that everybody did a good job, addresses a lot of our issues. One of the things that I did have concerns with was, over the next ten years we have to give a lot of consideration as to where our grand list growth is going to come from. Obviously there are going to be a lot of discussions, the Town Council, the Board of Education on expenses and needs and how they are going to fund them. Really, where they are going to come from will be from existing property owners and tax payers absent changes to the zoning map.

The zoning map is going to drive grand list growth and the density you allow on the map will allow additional wealth to come in and shift that tax burden from the tax payers who obviously have to pay to maintain the services that we currently have. With that being said, we are really in a transitional stage as far as the building goes. The retail is really at an end, people that are looking for things are not going to be hopping in a car looking for a large retail store to go to. We can't rely on them any longer as the core of our economic development strategy. We really have to look at being able to provide certain areas that have services and experiences and that is what people are looking for when they go out and actually spend money. We do have a lot of opportunity that other towns do not have, specifically we do have that opportunity to explore transit oriented development which we have talked about for ten years now, haven't really seen much happen in that regard. Most of the development that we

have had is not what I would call transit oriented development and the density still isn't there. I know there was a lot of discussion and some change over from the middle of last year around the train station possibility. I've seen a lot of comments where people are saying, well, we should only look at one and not the other, I think you have to explore everything. I'm not saying we throw a pot of spaghetti against the wall and see what sticks, but I think you really have to take a close look at all of these opportunities because we have them, and if we don't look at them they are never going to be developed and we are never going to utilize their benefit in an appropriate way.

Relative to the bicycle transit pedestrian plan, I would like to see more inter-connection between those three plans. I know they focus on state highways because that has been what has been published by the State of Connecticut. There are routes in there that are really accessible, Maple Hill, Church Street, easy roads to walk and bike on. They aren't on the map, they could be. I really think you need to explore overlaying those three maps, look at the transit map, look at your pedestrian infrastructure, look at the existing, maybe we have a level of service for bikability and walkability and interconnect them, especially where the transit lane are. We should be trying to stitch together the plan, how I am going to be able to get from point A in this community to point B without getting in a car. That should all be thought out and I think the bullet dots are there but it's not all tied together yet. Maybe that is a subsequent action step, maybe that action step would be forming a committee that would actually help stitch together a plan for those connections and help to implement that.

There is a comment in the plan about providing additional parking in the Cedar Street Fastrack station, I completely understand that, I go by there multiple times a day and I see the cars over parked, but I really have to tell you, that, my observations, my personal observations are those cars are from people that are not in this town. Those are cars that could have parked in New Britain at the parking garage. I really don't think, if we have land near a transit facility, we should not be building parking for other people coming from out of town to park at the transit station. We should be building development there so that people either live or work there, getting on or off the bus, or on or off the train making Newington a destination, not a place where you can drive in and drive out as fast as possible. We really need to start thinking bigger than a parking lot for the station and any other transit station that we have.

I looked at the housing plan, I saw that there is a strong push to maybe make that affordable housing and affordable housing for all, central building projects. I'm not really opposed to that but I just would like to tell you that my perspective is a little bit different. I work out in the Farmington Valley, I will tell you that I am pretty proud of Newington because I think it is a place where anybody with a variety of incomes can come and find a home. I think we have a great diversity in our housing stock and inventory. We have a lot of housing options for people with a variety of budgets to get into. I don't think it should necessarily be mandatory but I certain have no opposition to affordable housing being provided.

I think those are most of my comments. Thank you very much.

Chairman Pane: Thank you. Anybody else? Did you want to speak again?

## **VI. REMARKS BY COMMISSIONERS**

Commissioner Woods: I think it is good that we had this meeting tonight and I think you will see that we are staying in touch with (inaudible.) Please keep in mind that there is nothing definite, it is identifying areas in town that we feel can be either developed or should be developed. That is not to say that they are going to be.

This is just a kind of road map, (inaudible) and then it all has to come back to us. Just because it is in here doesn't mean, affordable housing, high rise apartment complex, shopping plaza, it doesn't mean that it is going to be developed. We identified in this plan an area where a developer wants to come in, we have to make sure that, especially if this is a residential area, that our residents are protected. That is our job, and we take that very seriously. We do need this kind of a road map to help us, not only in respect to developers and I think that the Chairman has talked about this also, the only way we are going to continue to grow our grand list, and we need to grow our grand list somewhere around three to five percent to keep up with the tax increases. Unless there is somewhere here that knows how to beat the system and stop the inflationary that is build into MDC, our union contracts, benefits, then we could slow down but we're looking at a two to three percent increase every year, and if there is no where to go, I think we have relied very heavily in the last twenty-five years or so on the Berlin Turnpike and on retail that has been really really strong. Thirty-five to forty years ago, industrial, machine shops, the problem with the State of Connecticut is that all of the machine shops there is no property tax on items inside of the building. So we have a building, with no personal property taxes paid at all. So we switched to retail, and retail is not going to be there. We are going to need to redesign the Berlin Turnpike in the next ten, twenty, thirty years. The big box stores are leaving, there is no doubt in my mind. If you look at our grand list, those and apartments and Eversource are the leading the list.

Chairman Pane: Commissioner Woods is absolutely correct. This is a guide, this is a process that is still in the works. We are going to continue to make adjustments and we are going to continue to invite the public to our meetings. This is for all Boards and Commissions to use. We invited all the Boards and Commissions to this meeting. We will continue to invite them to our next meeting. We do need to think out of the box a little bit and think how we are going to grow the grand list with redevelopment and so hopefully we can use some of the things that are in this. We can improve our town center possibly and other areas. I don't think anybody has made up their mind on the train station or Francis Avenue or Cedar Street, I think everybody just want to improve the areas. If I don't see a train station at Francis Avenue I still would like to see something improved over in that area so that the residents could be proud of the area, and I don't think you are with some of the businesses in the Industrial area there. When there is residential very close to Industrial properties, it is very important to have a good buffer zone with trees and some extra land so that the residential property is protected. That is one of the things that I am most concerned about, making sure that our residential property is protected from blight and from the expansion of either retail or industrial. I'm also very concerned about giving up too much of our Industrial property. There are still a lot of small businesses that would probably like to have their own property, maybe small industrial parks for smaller businesses might be something we could look into.

Commissioner Sobieski: Glenn, you did a great job with all of the moving parts here, as far as the (inaudible) and as far as the Francis Avenue area, I know that the piece between those two properties is owned by Amtrack and I can't see them giving that up. As far as the residencies go, I agree one hundred percent with Commissioner Pane that they need to be protected with buffers and not have any residents suffer any (inaudible.) Thank you.

Chairman Pane: Any other comments from the Commissioners? Our Town Planner?

Craig Minor: Before you adjourn, a little housekeeping to do.

Chairman Pane: Glenn, do you have anything else that you would like to add?

Glenn Chalder: Just for the Commission in terms of the next steps in the process, following tonight's meeting we have agreed that we are going to take the minutes and the notes from

the meetings, we are going to organize these for the Commission relative to the chapters in the Plan. I believe the next meeting with the Commission on the POCD is two weeks out, and is March 11<sup>th</sup>, and I think at that point in time we will work with the Commission, make tweaks if you will, to respond to these comments and other concerns of the Commission and then move ahead. Just so the community is aware, we are under statutory guidelines to try to adopt the Plan before July, so we will be moving purposely forward and I will see you on March 11<sup>th</sup> and I will get you this material as far in advance of the meeting as we can to help guide our discussion. So that's our goal. Thank you very much.

Chairman Pane: Thank you. We'll go to the Town Planner for his concerns.

Craig Minor: The March 11<sup>th</sup> meeting, do you want me to schedule 6:00 o'clock and have the regular meeting after or do you want to have it at 7:00 o'clock, your regular time. There is one public hearing on an accessory apartment which should be resolved fairly quickly so I would suggest that we start at 7:00 o'clock, but obviously it's the Commission's decision.

Chairman Pane: If it is a small, not much on the schedule, we can start at 7:00. We'll start with the POCD on the schedule and then we will go into our regular meeting.

Craig Minor: Okay, thank you.

Chairman Pane: Is there anything else?

## **VII. ADJOURN**

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Woods. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,



Norine Addis,  
Recording Secretary

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: March 3, 2020  
**Subject:** Petition #41-19: Residential Subdivision at 55 East Robbins Avenue. Dornelas Home Improvement LLC, owner/applicant; Helton Dornelas, 65 Wood Pond Road, Farmington CT, contact.

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### **Description of Petition #41-19:**

This petition is to split the developed lot at 55 East Robbins Avenue in two, with the existing house to remain on one of the two lots.

### **Staff Comments:**

55 East Robbins Avenue is located on the southwest corner of Flagler Street and East Robbins Avenue. The existing house was built in 1928. The property consists of two parcels from the 1925 "Miami Heights" subdivision which were merged by a previous owner when the previous owner constructed an accessory building in the southwest back corner (as an aside: if the previous owner had not built the accessory building, the current owner would not need to go through the subdivision process to split the lot in two.)

We still do not have the mandatory letter from MDC approving the water and sewer connections. There are a few minor deficiencies with the Record Subdivision Plan, as well as with the Utilities and Improvement Plan. Those two plans were prepared by different parties with a different amount of responsiveness to our comments.

I recommend TPZ approve with the usual conditions.

cc:  
Dornelas Home Improvement LLC  
Town Engineer  
file

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



#330

Petition # 41-19

TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION

OK #5350

APPLICATION FORM

LOCATION: 55 EAST ROBBINS AVENUE

ZONE: R-12

APPLICANT: DORNELOS HOME IMPROVEMENT LLC

TELEPHONE: 860 214 9175

ADDRESS: 65 WOODBOND ROAD FARMINGTON

EMAIL: HELTONDORNELOS@HOTMAIL.COM

CONTACT PERSON: HELTON DORNELOS

TELEPHONE: 860 214 9175

ADDRESS: 65 WOODBOND ROAD FARMINGTON CT 06107

EMAIL: HELTONDORNELOS@HOTMAIL.COM

OWNER OF RECORD: DORNELOS HOME IMPROVEMENT LLC

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

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

**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."

	11/07/19		11/07/19
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).

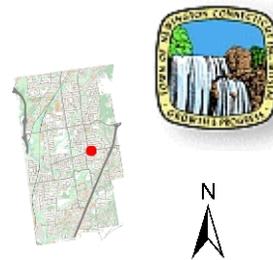
RECEIVED

NOV 7 2019

PLANNING DEPT.



# 55 East Robbins



## 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

Printed 11/18/2019 9:49:33

*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 Plan and Zoning Commission

February 4, 2020

Helton Dornelas  
65 Wood Pond Road  
Farmington, CT 06107

Dear Mr. Dornelas:

**Re: Petition #41-19: Subdivision of Property at 55 East Robbins Avenue. Dornelas Home Improvement LLC, owner/applicant; Helton Dornelas, 65 Wood Pond Road, Farmington CT, contact.**

---

I have reviewed the plans submitted to date, and have the following comments. The comments from the Town Engineer will be sent to you separately.

1. Record Subdivision Plan (Section 6.2): I have not received a revised plan since sending you my comments dated November 18, so these are the same comments. The Record Subdivision Plan is missing the following information:

- a. A table showing the bulk requirements such as minimum area, minimum frontage, minimum yards, etc. needs to be added (Section 6.2.f).
- b. Individual lot number (Section 6.2.k).
- c. The endorsement block needs to be revised as follows:

Approved by the Newington Town Plan and Zoning Commission as  
Petition #41-19 at the TPZ meeting on \_\_\_\_\_.

\_\_\_\_\_

Date

\_\_\_\_\_

Chairman

Pursuant to Section 8-26c of the Connecticut General Statutes all work  
in connection with this approved Subdivision shall be completed by

\_\_\_\_\_  
(date of approval plus five years).

2. Utilities and Improvement Plan (Section 6.3): I recently received from your consulting engineer a plan entitled “Site Plan” which I believe is intended to be the Utilities and Improvement Plan. It is missing the following information:

a. A note certifying that “The Subdivision Regulation of the Town of Newington are a part of this plan and approval of the plan is contingent on compliance with all requirements thereof.” (Section 6.3).

b. Location of all existing and proposed sanitary and water supply lines (Section 6.3.e).

c. Elevation at proposed building corners (Section 6.3.1.iv).

d. Construction details (including erosion and sediment control measures) for proposed utilities (Section 6.3.r).

e. Please change the title of this plan from “Site Plan” to “Utilities and Improvement Plan”.

3. You need to submit a letter from the Metropolitan District Commission indicating the availability of public sewer and public water (Section 6.1.h).

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

Sincerely,

Craig Minor, AICP  
Town Planner

cc:  
Oswald Blint Surveying  
Inga Consulting Engineers  
file



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Keith Chapman  
Town Manager

## Office of Town Engineer

Gary J. Fuerstenberg, P.E.  
Town Engineer

February 10, 2020

Helton Dornelas  
Dornelas Home Improvement LLC  
66 Woodpond Road  
Farmington, CT 06107

Andrew Inga  
Inga Consulting Engineers  
139 Whitney Street  
Hartford, CT 06105

Oswald Blint  
Oswald Blint Surveying  
88 Farmstead Lane  
Windsor, CT 06095

### **RE: Engineering Comments - Subdivision Plan and Site Plan - 55 East Robbins Avenue**

Mr. Helton Dornelas,

We reviewed plans titled *Lot division of 55 East Robbins Avenue, Newington, Connecticut prepared for Dornelas Home Improvement, LLC*, Sheet 1 of 1, prepared by Oswald Blint Surveying and *Site Plan, 55 East Robbins Avenue, Newington, CT*, Drawing No: 1, dated January 13, 2020 prepared by Inga Consulting Engineers, (both plans received February 3, 2020).

#### **Sheet 1 of 1 – Lot Division Plan**

1. Show extent of encroachment of wire fence over northerly property/right of way line.
2. Show extent of split rail fence along southerly property line.
3. Correct building setback line along northerly property line (Flagler Street) from 10 feet to 30 feet See Z.R. 4.4.1 – Corner Lots: On corner lots, front yard setback for R-12 zone = 30 feet.
4. Correct building setback line along southerly property line from 30 feet to 10 feet See Z.R. 4.4.1 – Corner Lots: On corner lots, side yard setback for R-12 zone = 10 feet.

#### **Drawing No.: 1 – Site Plan**

5. Correct building setback line along northerly property line (Flagler Street) from 10 feet to 30 feet See Z.R. 4.4.1 – Corner Lots: On corner lots, front yard setback for R-12 zone = 30 feet.
6. Correct building setback line along southerly property line from 30 feet to 10 feet See Z.R. 4.4.1 – Corner Lots: On corner lots, side yard setback for R-12 zone = 10 feet.

Phone: (860) 665-8570 Fax: (860) 665-8577  
engineering@newingtonct.gov  
www.newingtonct.gov

7. Because the proposed house and driveway create impervious area that will replace pervious grass area and increase storm water runoff, consider measures to reduce runoff on the proposed lot. (S.R. 3.7.5 – Drainage discharge –subdivision shall be designed for zero increased stormwater runoff.)
8. Driveway cannot be closer than 5 feet from a property line.
9. Show and label existing ground surface contours.
10. Differentiate between existing and proposed grading (use different line types).
11. Provide a benchmark with datum.
12. Provide a legend of all lines and symbols used on the plans.
13. Show existing utility structures (manholes, valves, etc.) in Flagler and Robbins. Show existing and proposed utility (water, sewer, gas) laterals and connections to utility mains for the proposed building. Include pipe diameters, pipe types, pipe slopes, invert elevations, etc.
14. Show limits of pavement restoration in the public road. Incorporate existing adjacent road patches into the permanent patch to provide one rectangular patch perpendicular/parallel to the curb line.
15. Provide detail for temporary and permanent pavement repairs.
16. Provide area(s) for stockpiled soil.
17. Provide a detail for stockpiled soil protected by erosion and sediment control devices.
18. Provide limit of disturbance line.
19. Provide erosion and sedimentation control around the limit of disturbance.
20. Provide erosion and sedimentation control details.
21. A Connecticut licensed land surveyor shall certify all erosion and sediment control measures are installed in the locations specified on the approved plans prior to the start of work.
22. Notify the zoning enforcement officer to inspect erosion and sediment control measures prior to the start of work and prior to removal of erosion and sediment control measures.

If you have any questions, please feel free to contact me to review and discuss the above comments.

Sincerely,



Gary J. Fuerstenberg, P.E.  
Town Engineer

Cc: Craig Minor, Town Planner  
Andrew Armstrong, Assistant Planner, Zoning Officer



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Planner

**To:** Town Plan and Zoning Commission  
**From:** Town Planner Craig Minor, AICP  
**Date:** March 4, 2020  
**Re:** **New Plan of Conservation and Development (POCD)**

---

Glenn Chalder will be at the meeting to discuss the comments that were made at the PIM on February 26, 2020. This what I heard at the PIM:

Carla Santora, Francis Avenue: The POCD should identify opportunity sites for affordable housing.

Rose Lyons, 46 Elton Drive: All boards and commission need to be on board with the new POCD. There are too many reports and studies that never come to anything.

Richard LePierre: Agreed with the need for “complete streets”.

Gail Budrejko, 21 Isabelle Terrace: Traffic calming is needed.

Alan Paskevitch, 100 Cambria Avenue: Wants a mono-rail in the Hartford region.

Neil Pade, 211 Eddy Lane: Retail as an economic base for Newington is coming to an end - we need to look to peoples’ demand for services and experiences to replace it. The Transit Plan, Bike Plan and Pedestrian Plans should be coordinated better. We should not waste developable land near transit nodes on parking for out-of-town residents. Newington has a lot of housing that is affordable for people with a variety of incomes – not in favor of mandatory affordable housing.

cc:  
file

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

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## **Town Plan and Zoning Commission**

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: March 4, 2020  
**Subject: Possible Amendments to LID Regulations**

---

When the LID (“low impact development”) stormwater regulations were adopted six years ago, we had the ambitious goal of retro-fitting existing development whenever we get the chance. The LID regulations do this by making property owners install LID structures (bio-swales, rain gardens, underground detention systems, etc.) to treat runoff from existing buildings and parking lots whenever they apply for site plan modification of those existing buildings and parking lots. As I said – these regulations were ambitious.

In hindsight, however, these goals may have been too ambitious. Not only does Newington have poor soil for stormwater infiltration, much of Newington’s commercial area is covered with impervious surface. Making a property owner tear up part of his parking lot to install bio-swales or underground detention galleys is not realistic, so it has probably had a chilling effect on building expansion in Newington.

I suggest TPZ consider amending the LID regulations to delete the “retro-fit” requirement unless the parcel has enough undeveloped area to accommodate the additional LID techniques.

cc:  
Town Engineer  
file

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

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP  
Date: March 3, 2020  
**Subject:** Petition #04-20: Special Permit (Sec. 3.2.1: Church or Place of Worship) at 155 Lowrey Place. Renato Almieda, applicant; Lowrey Place Realty LLC, owner; Renato Almieda, 95 Nutmeg Lane #312, East Hartford CT, contact.

---

### **Description of Petition #04-20:**

This is an application to conduct religious services in one of the retail spaces in the “Best Market” strip mall. “Church or Place of Worship” is allowed by special permit in any zone.

### **Staff Comments:**

I recommend the public hearing be scheduled for March 25, 2020.

cc:  
file

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



\$220 cash

Petition # 04-20

### TOWN OF NEWINGTON TOWN PLAN AND ZONING COMMISSION

#### APPLICATION FORM

LOCATION: 155 Lowrey Place

ZONE: B-TC

APPLICANT: RENATO ALMEIDA

TELEPHONE: 860 983-7648

ADDRESS: 95 Nutmeg Ln #312 E. Hartford

EMAIL: 06118

CONTACT PERSON: RENATO ALMEIDA

TELEPHONE: 860 983 7648

ADDRESS: same

EMAIL: LAGARESNATO@GMAIL.COM

OWNER OF RECORD: Lowrey Place Realty LLC

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

- Zoning Map Change from the \_\_\_\_\_ Zone to the \_\_\_\_\_ Zone (Public Hearing required).
- Zoning Text Amendment to Section \_\_\_\_\_. *A copy of the proposed amendment and the reason for amendment is attached* (Public Hearing required).
- Subdivision (4 sets of plans 24" x 36", and 10 sets of plans 12" x 18").
- Resubdivision (Public Hearing required). (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Special Permit per Section 3.2.1 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."**

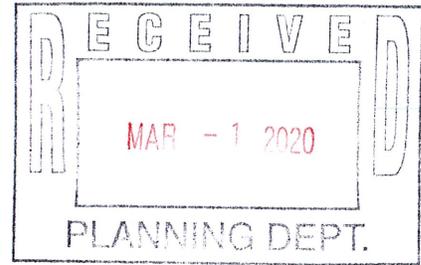
 _____ APPLICANT	<u>02-25-2020</u> _____ DATE	_____ PROPERTY OWNER	_____ DATE
---	------------------------------------	-------------------------	---------------

**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).**

February 26, 2020

City of Newington - CT

Whom it may concern,

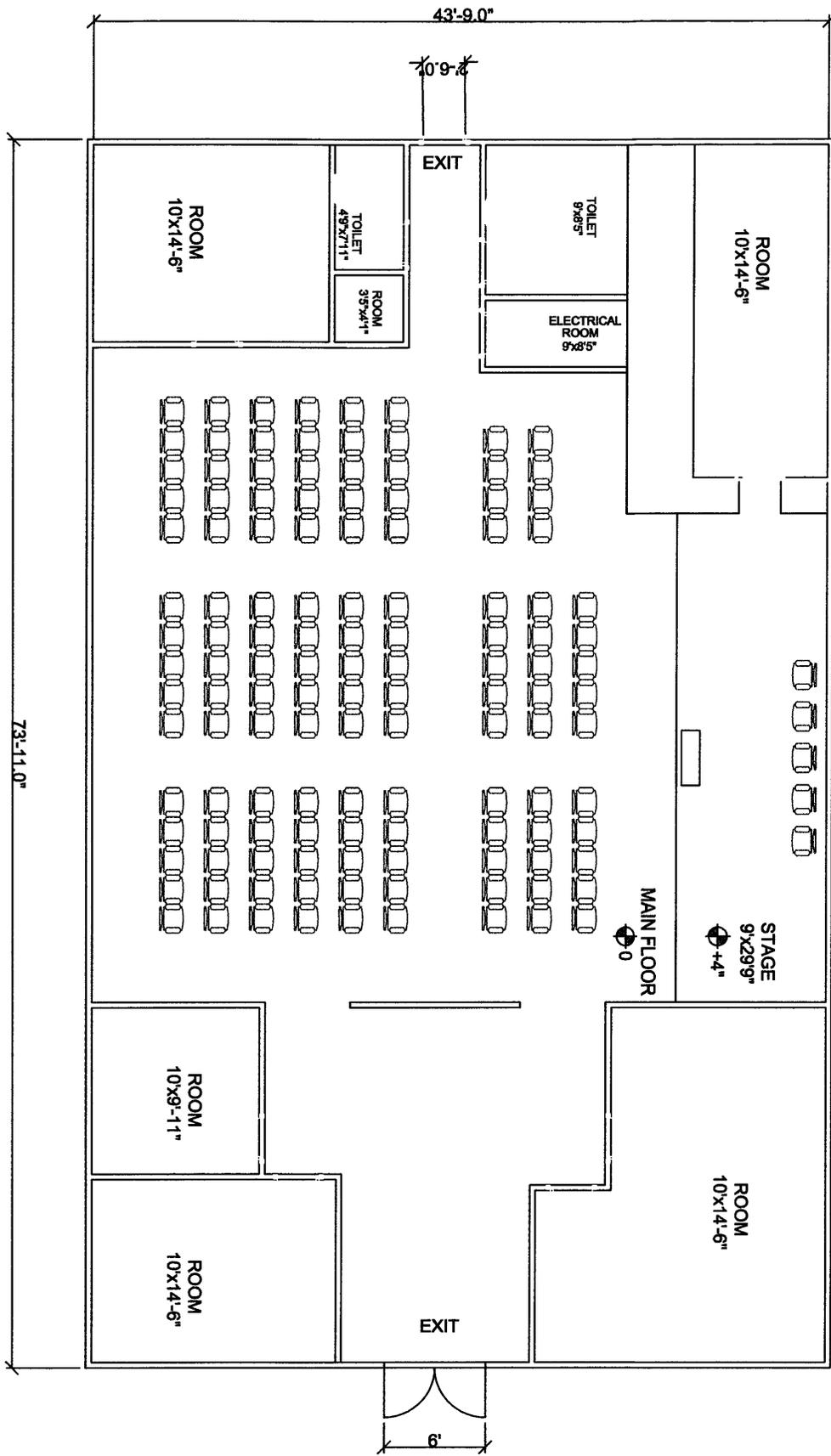


We, the members of the directory of Catedral of Adoração, a Christian church, would like to establish the church at 155 Lowrey Place, Newington. Our directory staff consists of our Pastor President Wellington Oliveira, Co-Pastor Valdinei Dias, Financial Administrator Renato Almeida and Secretary Fernanda DeLisle. Our church consists of approximately 70 members total. Our ideal service hours are Thursday nights 8-11pm and Sundays 6-10pm. We look forward to hearing from you and possibly seeing you at church.

Sincerely,

A handwritten signature in blue ink, appearing to be "Renato Almeida", written over a horizontal line.

Renato Almeida - Financial Administrator





# 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:** March 3, 2020  
**Subject:** **Town Planner Report for March 11, 2020**

---

#### **1. Commercial Vehicles in Residential Zones, and Personal Business:**

There is an issue with the home business zoning regulations that the staff has been asked to look into.

The Newington zoning regulations allow homeowners to operate a small home-based business (“personal business”) so long as there is no outward appearance of a business, and so long as the business is conducted by only by mail, telephone, or computer. No manufacturing may take place, and there can be no special equipment. Per a different section in the zoning regulation every house is allowed to have one “commercial vehicle”.

A typical beneficiary of this regulation is the self-employed builder or plumbing contractor, and for this person the “mail, telephone, computer” restriction is not a problem. But for landscaping contractors a big part of their work is snowplowing. Technically, a snow plow is a piece of equipment, which cannot be left on the driveway between snow events.

I suggest TPZ consider amending the regulations to allow landscaping contractors to have snowplows, provided they are kept on a paved surface and not on the lawn beside or in front of the house. I also suggest the “commercial vehicle” regulation be revised to allow the vehicle be parked in the driveway – the way the regulation is worded implies that the vehicle must be parked beside or behind the house.

#### **2. Brewery and Brew Restaurant Regulation:**

See attached, as requested.

### **3. Special Permit Uses:**

The Newington zoning regulations require special permits for a number of activities that, in my opinion, do not warrant a public hearing and commission review – staff review is sufficient. The special permit process adds at least a month to the approval process, but more importantly, it adds an element of uncertainty. “Uncertainty” is often the reason a developer decides to not go forward with a project. The successful restaurateur who wants to open a second restaurant anywhere in central Connecticut is less likely to choose Newington than, say, West Hartford where restaurants are allowed by right. Another example is free-standing signs – if the sign meets our detailed requirements, why have a public hearing and commission review?

If TPZ has no objection, I would like to prepare a list of uses that in my opinion do not need to be by special permit. I can present it at the next TPZ meeting for commission consideration.

cc:  
file

**Proposed “Brewery and Brew Pub” Amendment**  
Text to be added is shown in **bold underline**;  
text to be deleted is shown in **~~bold strikethrough~~**.

---

Section 3.11 Special Permits Allowed in B Business Zones

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

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

---

Section 3.16 Uses Permitted in I Industrial Zones

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

3.16.1 Permitted Uses

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

---

Section 3.17 Special Permits Allowed in I Industrial Zones

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

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

---

Section 9.2 Definitions

**BREWERY: A facility used for manufacturing, bottling and storage of beer and beer products, including tastings, tours, and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption.**

**BREW PUB: A facility used for manufacturing, bottling and storage of beer and beer products, including tastings, tours, and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption and the retail**

**sale of beer served in open containers to be consumed on the premises with or without the sale of food.**

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