



TOWN OF NEWINGTON

Office of the Town Planner

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MEMORANDUM

TO: Newington Town Plan & Zoning Commission
FROM: Michael D'Amato, AICP, CZEO, *Michael D'Amato*
DATE: May 13, 2022. **Revised May 19, 2022**
SUBJECT: **Petition# 25-22:** Special Permit (Sec. 3.4.7) for conversion of an older home to multiple dwelling home at 44 East Cedar St. Applicant/Owner: R. Santerre.

Date of Receipt	May 11, 2022		
Deadline for Decision	35 to close hearing, 65 days from hearing close to decide.		
Other Agency Reports Required?	No		
Extension Eligible?	Yes	Total Possible Days	65
Materials Reviewed	<ul style="list-style-type: none">Property Map: 44 East Cedar St. Dated 11/11/65Floorplans		

Application Summary

Per the submitted application, the applicant is seeking Special Permit approval per Section 3.4.7 to convert and an existing home into multiple dwelling units. Per the most recent Town assessment records the property is approximately .51AC. The home was built in 1904 and contains approximately 1,800SF of living space.

Regulatory Criteria Comments:

Section 3.4.7 (B): Areas:

Requires that each individual unit contain at least 600SF of living space including a full bath and kitchen, not including any basement area and 6,000SF of land per unit.

Review Comment:

The applicant has provided a site plan to indicate that the lot is .51AC or 22,000 sq. ft. in area and floor plans to indicate the floor area for each unit which appears to be as follows:

Unit 1: Approx. 668 sq.ft.

Unit 2: Approx. 840 sq.ft

Unit 3: Approx. 721 sq ft.

Section 3.4.7 (D): Parking:

Requires that 1.5 paved parking spaces per unit be provided on the property, behind the front line of the principal structure.

Review Comment:

The application materials indicate that a double wide driveway can accommodate up to 12 vehicles, but designated parking spaces are not present.

Staff Application Comments:

Number of Units:

As demonstrated by the floorplan, this property has a total of three units. Unit 1 is principally located on the first floor; Unit 2 is located between floors 1 and 2, and Unit 3 is located solely in the detached building in the

rear yard. The Town's Assessor's records indicate that the detached building was constructed (year unknown) and originally used as a garage and office which was then converted into a dwelling unit. The Town's records indicate identification of the detached unit for at least the past 15 years. While Section 3.4.7 does not expressly prohibit or allow the conversion of detached structures as part of the "Conversion of Older Homes", because this portion of the property is pre-existing non-conforming, there is not necessarily an approval being sought related to the detached building.

Fire Marshal:

The Fire Marshal's Office was consulted regarding this application and indicated that because a single structure does not contain three or more dwelling units it is not subject to their inspection or review.

Staff Guidance:

Ultimately, the purpose of Section 3.4.7 is to encourage the continued viability of older, larger homes. While the Zoning Regulations do not specifically address detached units, the conversion of this property to multiple dwelling units does meet the intent of the Regulation. In addition, the property overall is compliant with the criteria within the Section, including the detached unit. Further, the PoCD's Residential Development chapter includes two pertinent goals:

1. Provide housing options for a variety of household types, sizes, ages, tenures, and income groups within safe and stable neighborhoods.
2. Protect and conserve the quality of existing housing stock from neglect, incompatible neighboring uses and disinvestment.

Based upon the above, staff believes this application can be considered compliant with Section 3.4.7 and approved. Suggested findings and condition could be as follows:

Suggested Findings and Conditions:

Findings:

1. Issuance of this approval will support the goals established by the Newington PoCD by encouraging a diversified housing stock and the continued investment in residential properties.
2. The property contains a detached structure, built prior to the adopting of Zoning Regulations which includes a single pre-existing non-conforming dwelling unit.

Conditions:

1. Prior to the occupancy of the any units, 5 parking spaces shall be striped or designated within the driveway/parking area and shall be continually maintained.