



# 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: June 1, 2022  
 SUBJECT: **Petition# 28-22:** Special Permit for Accessory Use (Sec. 3.23.1) Accessory Outside Use to all a Tent Event for Firework Sales at 95 Fenn Rd. Applicant: Keystone Novelty Distributors LLC.  
 Contact: A.Mutzabaugh

<b>Date of Receipt</b>		May 25, 2022	
<b>Deadline for Decision</b>		35 days from receipt to open, 65 days from hearing close to decide.	
<b>Other Agency Reports Required?</b>	No		
<b>Extension Eligible?</b>	Yes	<b>Total Possible Days</b>	65
<b>Materials Reviewed</b>		<ul style="list-style-type: none"> <li>• Site Layout Map: 95 Fenn Rd</li> <li>• Application Narrative dated 05/13/22</li> <li>• Tent Layout Diagram</li> </ul>	

#### Application Summary

Per the submitted application, the applicant is seeking approval to allow for the retail sale of fireworks from a 20ft by 40ft tent to be installed in the northwest corner of the parking lot. This approval is being sought pursuant to **Section 3.23.1** "Accessory Outside Use Standards".

#### Regulatory Criteria:

##### Section 3.23.1: Standards:

- A. Supplies, materials, products and equipment which are incidental and subordinate to the principal use of the lot may be stored outside on the same lot but shall not be located in front of the principal building nor be placed on rack shelving higher than 12 feet.
- B. Products and equipment intended for sale may be displayed in front of the principal building when approved by the Commission, but not in the required front yard setback area.
- C. This display of this equipment and products shall not obstruct pedestrian walks or fire lanes.  
(Effective 12/01/2001)

#### Staff Comments:

##### Compliance with Standards:

The application as submitted appears to meet the criteria of Section 3.23.1.

- The materials are proposed to be stored outside of the front yard setbacks and not on racks in excess of twelve (12) feet.
- The proposed location does not impede pedestrian access or sightlines as the parking lot is lower than the street grade.

##### Temporary Signage:

While not specifically mentioned within the application materials, the materials submitted include renderings of multiple temporary signs of various sizes. The applicant should clarify what temporary signage is proposed in conjunction with this activity and demonstrate compliance with **Section 6.2.2(i)**

**Newington Fire Marshal:**

Given that a temporary tent will be installed, a generator will be utilized for power and Section 3.23.1 (c) requires that fire lanes remain accessible, this application has been referred to the Fire Marshal's office for review and comment.

**Staff Guidance:**

The application as proposed meets the review criteria of the Zoning Regulations. However, the Commission should refrain from issuing a decision until such time as the Fire Marshal's office has provided comments regarding the application.

**Conditions for Consideration:**

1. The tent shall be installed not more than five days prior to the commencement of the retail sales activity and shall be removed no later than July 10, 2022.
2. Temporary signage shall only be installed in accordance with this application and Section 6.2.2(i)
3. All supplies, products and related materials shall be kept within the tent at all times.