

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

July 26, 2023

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Chairman Domenic Pane
Commissioner Bryan Haggerty
Commissioner Garret Havens
Commissioner David Lenares
Commissioner Jonathon Trister
Commissioner Stephen Woods
Commissioner Michael Fox-A
Commissioner Gia Pascarelli-A

Commissioners Absent

Commissioner Anthony Claffey
Commissioner Stuart Drozd-A

Staff Present

Pau Dickson, Town Planner
Erik Hinckley, Asst. Town Planner/ZEO

Commissioner Fox was seated for Commissioner Claffey.

III. APPROVAL OF AGENDA

No Changes

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

None

V. ZONING ENFORCEMENT OFFICER REPORT

Chairman Pane: The Commissioners have the report, there is quite a bit of work that Erik has done on this. Anyone have any questions for the Zoning Enforcement Officer?

Felicia O. Hinckley
Town Clerk

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Commissioner Trister: On Galaxy Carpet, there have been several infractions over the last year, is this a different person each time?

Erik Hickley: It's the same manager.

Chairman Pane: I don't know what you said to him, but it seems to be working, I haven't noticed them going back up.

Erik Hinckley: They haven't gone back up, yet.

Chairman Pane: Any other questions from the Commissioners on any of the Zoning Enforcement Officer's report, he was quite busy. 250 Stamm Road, is that completed yet?

Erik Hinckley: There is one car left in the highway garage, and he doesn't seem to want it, so we will just sign the DMV form and just junk it as abandoned. The Town Attorney still wants to do more enforcement there at some point.

Chairman Pane: Okay, very good, if there are no other questions, thank you very much Erik.

VI. REMARKS BY COMMISSIONERS

None

VII. PUBLIC HEARING

None

VIII. APPROVAL OF MINUTES

Commissioner Havens moved to accept the minutes of the June 28, 2023 regular meeting. The motion was seconded by Commissioner Trister. The motion passed unanimously with seven voting YEA.

IX. NEW BUSINESS

A. 8-24 Referral for an easement over a portion of the municipal parking lot in the rear of 1042 Main Street.

Chairman Pane: I'll turn this over to staff.

Paul Dickson: This is an 8-24 referral and in conjunction with it, the applicant has also submitted a site plan, they are kind of part and parcel with each other. The site plan, as designed cannot be accomplished without the easement. In the research on this, the property map was discovered, the original map that they had showed a larger area before the donation to

the parking lot and subsequent mapping was discovered and then their improvements as shown was discovered the ramp on town property, so the applicant is here to seek an easement for locating the ADA ramp on the town property in the area that was previously donated to the Town. There are additional improvements that the applicant will go through, and just to remind the Commission that the 8-24 referral is a referral from the Town Council, and you have 35 days from the date of submission, which is tonight, to report back to the Council and your recording whether you recommend it or whether you do not recommend it. The applicant is here if you would like to hear the presentation and what they plan to do.

Chairman Pane: Thank you very much. If you could come forward and state your name for the record, and explain to us what you are trying to achieve and what you are planning on doing.

Peter Vournazos: Good evening everyone. I'm the owner of the commercial building at 1042 to 1046 Main Street. Just to give you some quick background, my family and I have lived in Newington since 1957 and I have owned and operated my floral business in town for over 40 years, since 1983. I'm here today to present my site plan for a new store front and seeking an easement for part of our ADA accessibility ramp. I'm excited to announce that I am subdividing my space and want to create a new store front in the back of the building. I have been working with an architect over the past year designing an entrance which will face the municipal parking lot. We wanted the new store front to be functional and to enhance the back of our commercial building and also the municipal parking lot. In working with the architect we had a few goals in mind when we set out to create our site plan. One was to create an attractive store front and provide proper accessibility to comply with ADA requirements, secondly we wanted to create a complimentary design to the surrounding area that would not interfere with any existing walkways, and we also wanted our store front to be proportional to the buildings so it would be balanced, yet inviting and still comply with ADA requirements. We also wanted to retain some of the green scape and retain an existing specimen tree in the back in order to help conceal the exhaust hood and other utility wires located on the back face of the building. It will help to soften the landscape. Lastly, to help further beautify the municipal parking lot by creating a fascia that was not only functional but aesthetically pleasing to the eye and surrounding properties. As our process moved along, we were required to obtain a current survey for confirmation of property lines and elevations and we found out that they were not where they were, and in order for us to comply with the ADA requirements a portion of our ADA ramp and a small corner of our stairs now fall on town property.

Over the years the property owners, past and present who own land surrounding the municipal lot on Main Street, have given easement rights to their land to the town in order to create the municipal parking lot, the pedestrian walk through and front side walk and planters, and my building being one of them.

My understanding is that the properties who give these easements to the town for municipal improvements have some privileges for accessibility purposes. In order to comply with ADA requirements, we are asking the Town to grant us a small easement for a portion of our ADA ramp and the corner of the stairs for accessibility purposes.

I hope that you will consider in favor of our easement request and site plan to help move us forward in completing our new store front. Creating a new store front and expanding our rental

units will only bring more tax revenue to the Town down the road, and I truly believe that the improvements that I propose here would only enhance the municipal lot and town center. I appreciate your time and consideration and thank you. If you have any questions at this time, I'd be happy to try to answer them for you.

Chairman Pane: Thank you very much. The staff has talked about, if we grant the easement that you suggest some language about the maintenance and termination of the easement.

Paul Dickson: That came from our new Town Engineer who has extensive survey background, and let me talk about the maintenance first. The maintenance of course if it is granted, if the easement is granted, that the town is recommending that the maintenance is the store owner's maintenance and with an easement to use the town's land and that the owner is required to maintain the surface, clear ice, clear snow, make sure it is safe and passible. The second part is actually is actually when talking with the town Engineer about different easements, there is language that you can put in an easement that either A, the building gets demolished, the ramp gets demolished, if something gets changed then it automatically expires, so this solves the problem that surveyors have and that people have when they go through it when they have an easement and there is nothing there and where does it go? So it ties it to a specific purpose that if it is every removed, the easement is extinguished automatically, if the building is demolished or the ramp is removed. If the building gets removed for redevelopment, it is just something to think about, it clears up a potential title issue in the future.

Chairman Pane: Thank you. Do the Commissioners have any questions for the applicant, or staff.

Commissioner Woods: Just a comment, not a question. We are taking them together, but we didn't read in B. We have to vote on them separately, but we are talking.....

Chairman Pane: We are going to have to table item B after the Council makes a decision on the 8-24, but I will read it into the minutes.

B. Petition 12-23 Site Plan Modification to improve building access at 1042 Main Street.
Applicant/Owner/Contact: Peter Vournazos.

We are doing both of these at the same time. Is there anything else?

Commissioner Woods: I think this is one of the things that the municipal lot was made for, they gave us some of their land so we could improve parking back there, because we can all remember, it was a nightmare back there for many, many years, and it's beautiful back there now, so I see no issue with this. I like this this, it's much cleaner, if the ramp goes away, the easement goes away, so there is no confusion down the road on the land records. It doesn't appear that the land owner has any issue with it at all. I'm definitely in favor of this.

Chairman Pane: Thank you. I agree with you, I also like the improvements in the back. It's always been something that we should strive to do, clean up the back side of the buildings there and what you have proposed is very nice.

Commissioner Fox: I want to jump on the clean up in the back, with all of the good weather, the flea market and the Saturday concerts, a lot of people attended the last one, and I think we might, move the priorities, to get the back facades cleaned up and this is a good step.

Chairman Pane: Thank you. Any other comments, questions?

Commissioner Havens: A quick question for the Town Planner, if the language says the easement goes away for any changes, or is it just strictly if the building is demolished? I mean, if you have a flower shop here, and they need the access, and three years from now, it becomes a bakery, does that take the easement away, or is that something that can be.....

Paul Dickson: The recommendation from the Town Engineer was it is only for demolition of the ramp or demolition of the building. If something comes in at least they would benefit from it, especially from the design, it has a larger entrance, it has an area out there where people can enjoy, instead of just putting a ramp right up to the door. It is very limited, and that is something that the Town Attorney would work with the Town Manager to flush out the final language of the easement.

Chairman Pane: Any other questions? Thank you very much, it was a fantastic presentation and I am very happy with what you are proposing.

Peter Vournazos: Thank you, I appreciate that.

C. 8-24 Referral for the installation of a digital monument sign at 1485 Main Street
(Firehouse No. 1)

Chairman Pane: Why don't we go to a staff report, and then we can go from there.

Paul Dickson: Again, the applicant, again the 8-24, you have thirty-five days to report to the Council, whether recommending it, or not recommending. The Town Engineer performed a survey of this site, to locate the sign, so we have that location. The applicant again is proposing an electronic message center in conjunction with a monument sign, so it would be mounted. Because typically, as written in the staff memo, that per the zoning regulations, we do not allow electronic message centers, however that municipal property is exempt from the zoning regulations and that is why it is in front of you in the form of the 8-24. Other than that, the applicant is here to discuss the sign, they did provide pictures which should be in the packet as well with the additional explanation. The proposal does include their grant proposal which explains the need for the project.

Deputy Chief Stegmier: Good evening. A while ago we applied for the federal grant which is a federal grant which helps paid fire departments to enhance their staffing as well as help

volunteers with recruitments. We were awarded the grant and so the sign that is going to sit outside of Company One seventy percent of the time has to be used for recruitment of new members. Thirty percent of the other time could be used for emergency management, safety messages like fire prevention. We are planning on being good neighbors so we want the sign shut off completely at ten p.m. We are definitely conscious of our neighbors. The sign will also help us, the Newington Fire Department ISO is a class three. We are shooting for and are very close to getting a class two. Getting a class two would make our fire Department one of, actually the only volunteer department in the state with a class two, one of four in the entire New England area, so that hits the points for the community engagement piece.

Tom Lapierre: With the area towns, everybody sees, has seen a drop in volunteerism, but we are very lucky with the state hiring program as far as recruiting, you see the autism fire truck, that is part of recruitment, even though it is a fund raiser but it does attract a lot of attention when we bring it to different functions. We have tried to bring it to different functions to areas around town so that different groups of people are aware, spark interest in joining us and keeping our numbers strong and with strong numbers we will get good ratings, because our training numbers will be up, our fire response numbers as far as membership on the scene, goes up and that all ties very very heavily on in the ISO rating. With an ISO rating, it drops insurance rates for every homeowner and business owner in the town. Again, as the chief said, we have already talked with the Zoning Official about keeping it off at night, and the sign company assures us that it can be programmed in to be done automatically so it is not something that we have to do. It can be dimmed down if we have any issues, we can adjust the dimness or brightness of the sign. I think it will dress up the front of the Fire House, normally we put like a four by eight post, and that is kind of right where the sign is going to be going, so it's not like something new is appearing there, it's just something different. It will allow the Town, as the Chief said, thirty percent of the time if we need to use it for other things, emergency messages for storms, or getting messages out to the public.

Chairman Pane: Very good. I'm glad to see that you are going to shut it off at ten o'clock, that was one of our questions, and I think that is a good thing to do. This has been a while, Commissioner Woods remembers when this came up a long time ago, maybe Commissioner Fox might remember, but a one point we had the library proposing something similar, and had very lengthy conversations, and it was killed. I think this is a good idea, are you having it on a brick monument or something? We have sign, a sign memo, maybe Commissioner Woods remembers it, we are, town signs should comply with certain things and one of the things is the top of the sign should be like colonial. In Rocky Hill, there is one near the town center which has something similar to us, but then it has this colonial thing which says Rocky Hill at the top. Would you object to doing something like that?

Chief Stegmaier: No, this is just a rendering to keep it clean, we didn't want to bring a lot of attention to the neighborhood, we wanted it to blend with the fire house sign as well. If that was a stipulation by this Commission we could design something with a different top to it.

Chairman Pane: I'm sure they are going to see something else coming down the road, so we have to take that into consideration too.

Commissioner Trister : I have a question regarding the top. I drive by Newington High School at different hours a day and they don't have anything. I mean, is that something, because of the language that can be retrofitted?

Commissioner Woods: That was very controversial.

Commissioner Trister: I think the rendering that you have now, as the chief said, it's very clean, it matches the fire house, do you really need the stipulation that it be colonial.

Chairman Pane: Well, we have this memo that we are supposed to adhere to for all town signs, and I asked them to dig it up, but they haven't found it yet. Do you recall.....

Commissioner Woods: If you look at the Congregational Church in the center of town, that is what it is, if you actually look down the street from you, there a smaller sign, with the top identical.

Everyone talking at once.

Chairman Pane: I don't think it has been adhered to, but I think we should try to bring it back and try to adhere to it if the Commissioners are in favor of that.

Commissioner Fox: I think they did a good job on this sign, and Commissioner Havens had mentioned, it looks nice. Looking for the colonial thing, and the late Commissioner Bill Cariseo used to make a little fun on it, when we did the sign on Willard Avenue, near the school, he wanted to see the pineapple. The building itself is not colonial and even the old firehouse is kind of neo-colonial. I like the clean look, and I think if you remember, we have always had this four by eight, that we put up, it was put up, hey look at what we have, so this would be an improvement, and I would definitely be in favor of it.

Chairman Pane: Thank you Commissioner Fox.

Commissioner Woods: Asking the Planner, why an 8-24, it's not a substantial change to the property, is it just because of

Paul Dickson: It would be considered an improvement, a special exception, so we do need your approval.

Commissioner Woods: I don't know if I agree with that, but okay.

Commissioner Trister: To bring up the ISO number, this really goes to help us increase our ISO, and that will pay for itself.

Chief Stegmaier: This really goes to help us increase our ISO number, keep our membership strong, and our goal is to bring that ISO number, to reach that goal, and that is our goal this year.

Commissioner Woods: I'm in favor of the ten o'clock, I think that is a good idea, except for times of emergency. I don't know how we word that, but I think we need to get that in there, that I want to be sure that you are able to have it on, I don't want someone to say that, I don't like that. Maybe it's an automatic situation, but.....

Chief Stegmaier: I think there is an over ride on this, I don't know the exact electronic piece of this, but we were told by the vendor that we can adjust this and it can be set to go off at a certain time each day and go back on probably at say six in the morning. Again, we were just trying to be up front with this and do it the right way because we went for the grant and I would hate to waste the opportunity of achieving that grant money.

Chairman Pane: Absolutely. I think everybody is in favor of this so I don't think there are any problems.

Commissioner Fox: I'm sure Chief Stegmaier is responsive to this, you may have noticed some signs on the major highways, like Main Street, "do you have what it takes," as a recruitment. I don't know if you have gotten any responses from that, but I'm saying, that is another great idea.

Chief Stegmaier: We've been doing door hangers, we've been doing small yard signs, and we have gotten a lot. Actually the Fire Department now is twice the size of Wethersfield, Rocky Hill and Berlin. We are pretty successful in our recruitment. We have applicants coming in, so our recruitment strategy is working, and this is just another piece to really tie it all in.

Chairman Pane: I'll have you work with staff on the sign, I'm sure Erik and the staff can guide you.

Chief Stegmaier: Working with them has been great so far, the Town Engineer spent a lot of time with us, surveying the property and getting the proper format to apply here.

Commissioner Trister: You said that the grant has to be seventy, thirty, and get back to what Commissioner Woods asked, would that still be mandated if you, if it was not your normal operating time, for 6:00 to 10:00 p.m. for the sign, if it was used for emergency use from 10:00 p.m. to 6:00 am, would that just be a message or is that affect the seventy-thirty.

Chief Stegmaier: I would say we would be able to document that the majority use of our sign is as it was directed, from the grant, but in the case of a hurricane, a blizzard coming through, and if it was during the storm, I hardly think FEMA is going to be running down Main Street, saying, oh your sign has the wrong message.

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

Chief Stegmaier: Thank you for your time.

X. **OLD BUSINESS**

C. 8-24 Referral for the installation of a digital monument sign at 1485 Main Street (Firehouse No. 1)

Commissioner Fox moved the recommendation that the Commission report to the Council of approving the 8-24 referral for 1485 Main Street (Firehouse No. 1.) Staff recommends that the Commission suggest that the Fire Department honor the conditions of the neighboring residents and rectify as needed, and any other suggestions from the Commission.

Reasons for the Recommendation:

It does not conflict with the POCD.

The motion was seconded by Commissioner Havens.

Chairman Pane: do we want to add the hours of operation on that or.....

Commissioner Havens: 6:00 a.m. to 10:00 p.m.

Chairman Pane: 6:00 a.m. to 10:00 p.m. unless there is an emergency. Is that acceptable to the maker and the seconder.

Commissioners Fox and Havens: Yes.

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

Chairman Pane: We will move that forward to the Council with a positive recommendation.

A. 8-24 Referral for an easement over a portion of the municipal parking lot in the rear of 1042 Main Street.

Commissioner Havens moved the 8-24 referral for an easement over a portion of the municipal lot, parking lot in the rear of 1042 Main Street. We recommend that the Council grant the easement and staff recommends that the Commission suggest including the language about the maintenance and the termination of the easement be included in the final easement documents.

Reason for the Recommendation:

This request is not in conflict with the POCD.

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

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

Commissioner Woods: The language, do we need to include the actual language in our motion?

Paul Dickson: The way it was recommended included the language about termination and about maintenance, and at the end of the day it will be the Town Attorney's charge.

Chairman Pane: We will recommend that to the Council.

B. Petition 12-23 Site Plan Modification to improve building access at 1042 Main Street.
Applicant/Owner/Contact: Peter Vournazos.

Commissioner Trister moved to table Petition 12-23 while the 8-24 report is being received by the Council and pending their action.

Chairman Pane: We will take action on this after the Council comes back with a positive response, and we will move forward with your site plan, but everything looks very good.

Peter Vouornazos: Do I have to return to present?

Chairman Pane: No, you don't have to come back.

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

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

A. Petition 11-23: Zoning Regulation Text Amendment pertaining to (Sec. 3.15) Special Permits Allowed in B0BT Zone to add Section 3.15.17 Banquet Hall, and (Section 9.2) to add definition for banquet hall. Applicant: Newington TPZ, Contact: Paul Dickson

B. Petition 13-23: Special Permit (Sec. 3.2.8) for a child care facility at the Temple Sinai at 41 West Hartford Road, Applicant; Tiffany West/Around the Clock 4 Tots, LLC., Owner/Contact Tiffany West

Paul Dickson: This is the banquet hall petition that we talked about at the previous meeting, when the applicant came in under the pre-application, so that has been submitted for review, again it is just adding in the use in that zone, and adding in the definition of the use. The other

application is a child care facility at 41 West Hartford Road, there was a child care facility there that was shut down and expired, so they are coming back.

Commissioner Fox: Did you say the child care facility there was shut down?

Erik Hinckley: The operator left, and a new operator is taking over, she came in and I had to tell her that the permit had lapsed, the prior operator did not renew as required.

XII. TOWN PLANNER REPORT

Paul Dickson: I just returned from vacation, so I don't have a comprehensive report. My plan is to have one at the next meeting for you for the status of the current projects out there and what is going on. I'm working on reviewing the drive through that we discussed at the last meeting and putting together a small report for the (inaudible.)

The Town Engineer is working on New Britian Avenue and then Stoddard and Main, those two we are looking at right now.

XIII. COMMUNICATIONS

Chairman Pane: We received the CRCOG letters, are there any questions regarding the letters for staff?

XIV. PUBLIC PARTICIPATION (For items not listed on the agenda; speakers limited to 2 minutes.)

Bob Tallard: I have been at the last three meetings and I haven't seen Anthony Claffey here. Is he, is there a reason for him to be missing at the last three meetings in a row?

Chairman Pane: We don't have questions back and forth.

Bob Tallard: I'm just curious, because I know that there is a certain amount, if you miss a certain amount of meetings, then you can be taken off of the committee. Like I said, I have been here the last three meetings in a row and he hasn't been here, so I would just like an answer to, is it health reasons, I'm just kind of curious as to why he has missed the last three.

Chairman Pane: It was just a conflict of interest, he was working. Anything else?

Bob Tallard: No, I was just wondering.

XV. REMARKS BY COMMISSIONERS

Commissioner Fox: I like this, 7:35, 7:40, and we had applications well prepared tonight, thank you

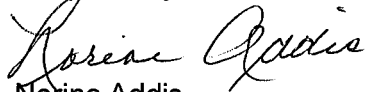
XVI. **CLOSING REMARKS BY THE CHAIRMAN**

None

XVII. **ADJOURN**

Commissioner Havens moved to adjourn the meeting at 7:40 p.m.

Respectfully submitted,



Norine Addis,
Recording Secretary