



# TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

## Town Planner

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Town Planner

### Memorandum

**To:** TPZ Commission  
**From:** Town Planning Staff  
**Date:** January 8, 2026

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**Petition TPZ-25-27:** Site Plan Modification for two building additions of 3,483 sf (westerly side) and 2,912 sf (easterly side) and minor Drainage Improvements to an existing building at 40 Commerce Court in the I (Industrial) Zone. Applicant: PDS Engineering, Contact: Steve Giudice, Owner: ADT Realty LLC (Application received 12/10/2025 – 65 days for decision by 2/13/2026)



## **Staff Report:**

The applicant is seeking approval for a Site Plan Modification at 40 Commerce Court. A Special permit, TPZ-25-10, was issued by the TPZ on 5/28/2025. The applicant is proposing to enclose the two existing covered canopy drop-off areas. The westerly enclosure will be 3,483 sf and the easterly one 2,912 sf. This requirement for TPZ approval of the Site Plan Modification is triggered by section 5.3.9.A.3 (NZR) because the gross floor area of the additions exceeds 10% of the gross floor area of the existing structure. The enclosure of the canopy was briefly discussed at the prior public hearing and applicant stated he would bring forth an application for that work.

The applicant originally applied for the westerly enclosure, and an administrative wetland permit was authorized by the Commission and granted by the Wetland Agent on 12/18/2025.

The applicant has recently submitted a separate wetland permit for the easterly enclosure, which is in the upland review area for the stormwater basin in the front of the property. This wetland permit may be resolved prior to the TPZ meeting.

## **Site Modifications**

Other than the proposed additions, the minor sitework would not rise to the level of TPZ approval. The applicant proposes to construct a small expansion of paving to enhance circulation around the addition, the removal of 4 parking spaces to balance impervious coverage, and minor utility work.

## **Building Elevations**

The applicant has submitted building elevations for both a phase 1 (westerly addition) and phase 2 plan (full buildout).

A snip of the proposed building materials is included to the right.

A snip of the front of the building with the proposed additions is included below.

The image contains two architectural drawings. On the left is a 'SOUTH ELEVATION - PROPOSED' showing a building facade with a mix of materials: a standing seam metal roof, vertical siding panels, and concrete masonry units (CMU) with split and smooth faces. Labels point to these materials and also to 'NEW CONSTRUCTION' and 'EXISTING CONSTRUCTION' areas. On the right is a detailed material sample showing three sections: '24 GA. STANDING SEAM ROOF', '26GA. SIDING PANEL', and two types of 'NEW CMU' (split face and smooth face) with instructions to paint them to match existing conditions.

24 GA. STANDING SEAM ROOF

26GA. SIDING PANEL

NEW CMU - SPLIT FACE  
PAINTED, TO MATCH EXISTING

NEW CMU - SMOOTH FACE  
CENTER SCORED PAINTED,  
TO MATCH EXISTING

2 SOUTH ELEVATION - PROPOSED  
1/8" = 1'-0"

## **Parking**

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As part of the pending wetland approval the applicant will be removing 4 parking spaces in the northeasterly portion of the parking lot in order to reduce the impervious cover. The enclosure of the two canopies will not eliminate any additional parking spaces and the parking will be sufficient for the current use. Repairs and recalibrating of vehicles will be performed inside the building. Additional vehicles may be parked within the onsite secured fenced area towards the rear of the building.

**Staff Comments:**

Staff recommends approval of this application as it meets the requirements of the NZR.

**Commission:**

Staff has reviewed the appropriate regulation for compliance with section 5.3.9 of the NZR attached for your review.

**5.3.9 Change in Use and Site Design**

A. A change in use of land or in the use of a structure or building will require site plan approval if any one of the following occurs:

1. Increases the amount of parking;
2. Changes the loading or access;
3. Increases the building's gross floor area by more than 10 percent;
4. Alters the site's parking lot green space, landscaping, or increases the amount of buffering required in Section 6.10.

B. Minor changes not requiring additional parking, loading, access or structural addition of less than 10 per cent to the rear or side areas of buildings will not require site plan approval.

C. For the purposes of this section examples of a change of use would include but are not limited to the conversion or addition of floor space from industrial/warehouse use to retail floor space or office floor space. the conversion of retail floor space to recreation use or public assembly use, such as a school or sports complex, church, etc. (Effective 12/01/2001)

D. Changes only to the architecture of the building will not require the submission of a new site plan to the Commission. (Effective 12/01/2001)