

Petition # 26-18

ck# 2036 #275

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM

LOCATION OF PROPERTY: 550 Cedar Street

ZONE: \_\_\_\_\_

APPLICANT: Dakota Partners, Inc.

TELEPHONE: (781) 899-4002

ADDRESS: 124 Main Street, Waltham, MA 02451

EMAIL: mdaigle@dakotapartners.com

CONTACT PERSON: Timothy S. Hollister, Esq.

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ADDRESS: Shipman & Goodwin LLP, One Constitution Plaza, Hartford, CT 06103-1919

EMAIL: thollister@goodwin.com

OWNER OF RECORD: Stop & Shop Supermarket Company, LLC

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

- Zoning Map Change from the PD Zone to the WAHD (New) Zone (Public Hearing required).
- Zoning Text Amendment to Section 3.26 / WAHD (New). *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>Timothy S. Hollister</i> APPLICANT	<u>6-28-18</u> DATE	<u>See attached</u> PROPERTY OWNER	_____ DATE
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INCOMPLETE APPLICATIONS **WILL NOT BE PUT ON THE AGENDA**. A COMPLETE APPLICATION INCLUDES BUT IS NOT LIMITED TO: APPLICATION FORM; APPLICATION FEE; SITE PLANS (IF APPROPRIATE) SHOWING LID; WATERSHED ANALYSIS (FOR SITE PLANS); NARRATIVE DESCRIPTION (IF APPROPRIATE).

**Timothy S. Hollister**  
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July 2, 2018

HAND DELIVERY

Mr. Frank L. Aieta, Chair,  
and Commission Members  
Town Plan and Zoning Commission  
Town of Newington  
131 Cedar Street  
Newington, CT 06111

Mr. Craig Minor  
Town Planner  
Town of Newington  
131 Cedar Street  
Newington, CT 06111

Re: Application of Dakota Partners, Inc. for Regulation Amendment, Map  
Amendment, and Site Plan Approval for Rental Apartments, "Cedar Pointe,"  
Cedar Street, Newington

Dear Chair Aieta, Commission Members, and Mr. Minor:

Our client Dakota Partners, Inc. hereby applies for a zoning approval to redevelop 550 Cedar Street, a 7.7 acre parcel. The site is currently zoned PD / Planned Development. The new rental community, "Cedar Pointe," will consist of 108 rental apartments, and will qualify as "assisted housing" (not to be confused with assisted living), pursuant to General Statutes § 8-30g. **All notices should refer to General Statutes § 8-30g.**

**Three-Part Application**

This three-part application proposes a new regulation, rezoning, and site plan approval, to be processed concurrently. The regulation amendment, proposed as a new § 3.26, "Workforce Assisted Housing District," has been drafted to apply specifically to the Cedar Street property, due to the fact that no other Newington zoning regulation fits the proposed development plan's dimensions and standards, and no regulation encompasses "assisted housing" as defined in § 8-30g. The site-specific regulation is legally permissible because court cases interpreting § 8-30g have held that § 8-30g proposals may include site-specific regulations. The site-specific

criteria also allow the Commission to review the regulation without needing to consider its potential application to other properties in Newington. It should also be noted that in some § 8-30g applications, applicants apply only for site plan approval even where the plan does not meet existing regulations; however, this approach, while technically permissible, potentially results in a non-conforming use. We believe the better practice is to spell out the permitted use and standards for the application, leading to approval of a conforming use.

### **The Property**

The subject property was formerly an automobile dealership known as Crest Motors. The business ended and the buildings were demolished between 2000 and 2010.

### **Dakota Partners, Inc.**

Dakota Partners, Inc. is a Massachusetts-based real estate developer and builder involved in the acquisition and development of multi-family rental communities and for-sale communities in urban, suburban, and rural areas throughout New England, New York, and the mid-Atlantic coast. With a unique expertise in delivering high-quality workforce housing, Dakota Partners develops communities from the ground up as well as acquires and repositions existing real estate. Dakota Partners' substantial experience with state and federal programs enables it to undertake complex real estate transactions that utilize low income housing tax credits (LIHTC), historic tax credits, community development block grants, and Housing and Urban Development programs. Dakota Partners has successfully developed more than 100 communities.

In an effort to deliver the most energy efficient building possible, Dakota Partners utilizes Passive House technology. Passive House design principles are employed to attain maximum energy efficiency, resulting in significantly less consumption of gas and electricity used for heating and cooling apartments. Furthermore, Passive House design provides a superior balance of indoor temperatures, reduces the carbon footprint, and reduces the cost of utilities to the tenants. As a result, communities developed using Passive House technology offer tremendous long-term benefits in addition to energy efficiency. Dakota Partners intends to utilize Passive House technology in the design of the apartment proposal contained in this submission.

### **Governmental Financing**

The redevelopment of Cedar Street will be funded primarily by Connecticut Department of Housing programs and the Connecticut Housing Finance Authority. These funding programs specify the percentage of units that must be preserved as lower-cost / workforce units, and Dakota Partners will follow the rules of the funding program. The proposed "workforce" housing program is summarized below.

**Bedrooms and Floor Area**

The applicant expects 75 percent of the units to be two bedrooms, and 25 percent to be one bedroom. Square footage for one bedrooms will be 708 square feet, and two bedrooms will be 942 square feet.

**Price-Restricted and Market-Rate Rents**

Market-rate units are expected for six one-bedroom units at approximately \$1,040 per month, and for 22 two-bedroom units, approximately \$1,242 per month. As to units to be preserved for moderate and low income households, the applicant will follow CHFA and LIHTC rules, and expects rents as follows:

<u>Units</u>	<u>Bedrooms</u>	<u>Maximum Monthly Rent (net of utilities)</u>
27	1	\$410 to \$1,046
81	2	\$486 to \$1,249

**Stormwater Management**

The proposed community will be constructed with several best management practices and low impact design techniques for stormwater and erosion, and in accordance with the Town of Newington Low Impact Development and Stormwater Manual, and the Connecticut Department of Energy and Environmental Protection ("DEEP") Stormwater Manual. A complete Stormwater Management Report, meeting the State's Guidelines, has been prepared (Tab 6). The Stormwater Management Report achieves several goals, including the following standards from the Town of Newington LID Manual:

- Standard 1 – Use of Low Impact Development to Reduce Stormwater Runoff and Pollutants. The project utilizes rain gardens to provide groundwater recharge and stormwater quality treatment that significantly improve the runoff quality over existing conditions.
- Standard 2 – Peak Flow Control and Flood Protection. The site has been designed to decrease peak flows, as well as discharge via sheet flow instead of point discharge, thereby reducing erosion.

- Standard 3 – Construction Erosion and Sediment Control. The project includes design of erosion control measures to ensure no sediment-laden water enters the resource areas.
- Standard 4 – Operation and Maintenance. An O&M Plan has been included which includes direction for maintaining short-term erosion control measures and long-term water quality measures.
- Standard 5 – Redevelopment. The project has been designed to enhance stormwater management through the use of LID measures.

### **Utilities**

The subject property is served by the municipal sewer system and public water.

### **Traffic**

Cedar Street is State Route 175. A traffic impact study is contained in this application package at Tab 7. Based on as-built conditions, all intersections analyzed as part of the traffic impact study generally will be minimally impacted by the development. Accordingly, the proposed Cedar Street redevelopment will not impede or adversely affect traffic operations on the adjacent roadway network.

### **Emergency Vehicle Access**

The entrance from Cedar Street will be 28 feet wide, and driveway aisles will be 22 feet, to allow ample width for emergency vehicles. All buildings will be sprinklered, and will be accessible on at least two sides. The driveway will be a loop and will provide ample turning radii for fire trucks.

### **Parking**

Parking will exceed ITE standards for the type of housing proposed. The number of spaces to be built is 1.4 spaces (152 provided). ITE data indicate that 1.23 spaces per unit (133 on this plan) would be sufficient. A supporting letter is attached.

### **Amenities**


A clubhouse, which will contain the leasing office, is shown on the plans. Amenities and finishes are spelled out in the Affordability Plan.

### **Handicapped Access**

The three story construction does not require an elevator. However, handicapped accessible units will be provided on the first floor, and a lift from the first floor to basement storage and laundry will be provided.

We look forward to presenting this application to the Commission.

Very truly yours,



Timothy S. Hollister

TSH:ekf  
Attachments

c: Dakota Partners, Inc. (w/ att.)  
Alfred Benesch & Company (w/ att.)