

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Planner

### Memorandum

**To:** Town Plan and Zoning Commission  
**From:** Town Planner Craig Minor, AICP  
**Date:** June 18, 2020  
**Subject:** **Town Planner Report for June 24, 2020**

---

**1. Status of Street at “Deming Farm”:** I just sent an email to my contact on the Deming Farm (AKA “Newington Ridge Preserve”) HOA board, asking about the status of the road. This is the project that TPZ called the bond on last year and gave the money to the HOA to complete. I will let the Commission know what she says.

**2. Outdoor Restaurant Seating:** The only change since my last update is that a new tenant is looking to take over the pizza restaurant in the plaza on the corner of Main Street and Cedar Street, and he wants to put tables in the patio area between the building and the intersection. I don’t have all the information yet, but I don’t see any problem with that.

The Governor has reminded us that outdoor restaurant seating will continue to be “by right” throughout the state of emergency. The partial reopening of restaurants that starts on June 19, 2020 does not impact restaurants’ right to have outdoor seating.

**3. POCD:**

(a) As of this writing we have not received any comments from CRCOG on the draft POCD.

(b) The Town Councilmembers received their copies of the draft POCD just before their meeting on June 9, 2020 but not early enough for them to have individually read it and to have a significant discussion. They were reminded by the Town Clerk that their options include taking no action (just vote to “place on file”), or hold their own public hearing on it, and/or submitting comments to TPZ. The Council will resume discussing it at the next regular meeting on June 23, 2020.

(c) The original deadline to adopt the new POCD was June 8, 2020 but Executive Order 7I gave us a ninety-day extension, so the new deadline is September 8, 2020.

**4. Zoning Regulations for Personal Businesses and Commercial Vehicles in Residential Zones:**

a. Personal Business Regulations: We’re still working on this amendment.

Phone: (860) 665-8575 Fax: (860) 665-8577  
cminor@newingtonct.gov  
www.newingtonct.gov

b. Commercial Vehicles: I have vastly simplified the “commercial vehicle” regulation. The draft amendment will show all of the language additions and deletions, but it boils down to this:

C. Commercial Vehicles (effective XX-XX-2020):

1. One commercial vehicle not exceeding 15,000 pounds gross vehicle weight and a cargo area not exceeding 200 square feet customarily used by the resident for transportation is permitted for each dwelling unit. Such vehicle shall be parked in the driveway or other suitable paved portion of the property.
2. “Commercial Vehicle” is any motorized vehicle used to carry, deliver, handle or transport goods in the conduct of business, profession, or trade. Commercial vehicles include, but are not limited to:
  - a) Pickup trucks, step vans, cargo vans, box trucks, flat bed or stake bed trucks.
  - b) Any vehicle outfitted with a backup alarm.
3. Commercial vehicles permitted under Section C.1 do not include:
  - a) Heavy-duty earth moving equipment, cement mixers, trenching pipe laying equipment or other similar type of construction equipment.
  - b) Buses, semi-trailers, tractor trailers, dump trucks, wreckers and trailers used for commercial purposes.
4. Personal vehicles used for the transportation of handicapped person(s) shall be exempt.

This contains adequate safeguards for the neighborhood, and I’m pretty sure it covers every type of commercial vehicle that people customarily bring home at the end of the day without bothering their neighbors. We can discuss it in detail at the meeting on June 24, 2020.

**5. Outstanding TPZ Performance Bonds:**

I’ve been asked to conduct a review of performance bonds that the Town is holding for projects that were complete enough to warrant a Certificate of Occupancy, but never finished the parking lot, landscaping, or some other miscellaneous item. TPZ members who were on the Commission back in 2013 may recall we cleaned up a lot of these, but there were a number that we just weren’t able to resolve for various reasons. As you can see from the attached spread sheet the holdovers are all from 2012 or earlier.

I am working on a line-by-line explanation of them.

**6. Relief from LID Regulations Proposed to be Eliminated:**

There have been approximately 40 site plans approved with LID over the past four years, and some of them have not been built yet. Now that TPZ is poised to eliminate the LID regulations it has been suggested that these projects not be required to construct the LID measures shown on the approved site plans. I am looking into whether TPZ can do this without running afoul of CT’s zoning laws, and if so, how to do it.

cc:  
file