

# 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 29, 2020  
**Subject:** Town Planner Report for July 8, 2020

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1. **Status of “Deming Farm” Development:** According to the homeowners association president the road is scheduled for repaving on July 13, 2020. General Paving is the contractor. The HOA president also told me that they are going to wait until after the road is finished and they know how much performance bond money they have left before tackling the other outstanding items: the gazebo, the bituminous paths, the final grading behind some of the houses, and the unresolved wetland issues.
2. **Outdoor Restaurant Seating:** No new requests since my last Town Planner report. The Governor has reminded us that outdoor restaurant seating will continue to be “by right” throughout the State of Emergency regardless of any partial reopening.
3. **POCD:**
  - (a) The public hearing is scheduled to take place via Zoom on July 22, 2020. If TPZ agrees I will put off any regular TPZ business from that meeting to the next one on August 12, 2020,
  - (b) As of this writing we have not received any comments from CRCOG on the draft POCD.
  - (c) The Town Councilmembers received their copies of the draft POCD prior to their meeting on June 9, 2020 and discussed it at the June 23 meeting. There were no substantive comments on the draft POCD and no decision was made.
  - (d) 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 to adopt is September 8, 2020.
4. **Outstanding TPZ Performance Bonds:** I will distribute an updated report at the meeting.
5. **Zoning Regulations for Keeping Chickens:** See attached draft prepared by Assistant Town Planner Andrew Armstrong. We can discuss this at the meeting.

## 6. Town Manager Letter regarding Economic Development:

If you haven't already, please read the letter from Town Manager Keith Chapman regarding the dearth of economic development in Newington over the past few years and the stagnation of the Grant List. His letter concludes with the following request:

“Therefore, I am asking that all appropriate Town staff, Town Boards and Commissions, the Chamber of Commerce and all existing property owners work with all interested parties to foster a new and more meaningful effort for the betterment of our Town. I ask all Boards and Commissions working with our Town staff analyze how all of us can achieve the outcome that must be adopted moving forward.”

Grand list growth (and the lack thereof) is the result of many factors, most of which are outside the realm of land use regulations. But there are many factors that are under the direct control of local land use boards, namely their regulations and practices. In the case of TPZ, these include:

1. Site Plan Approval regulations that prevent full or most efficient use of the land, such as excessive parking requirements and excessive maximum lot coverage requirements, or that drive up development costs, such as LID requirements. I think Newington's zoning regulations in these areas are reasonable and responsible, but they could certainly be looked at more closely.
2. Special Permits that are mandated in more situations than perhaps is necessary. Not all towns require special permits for restaurants, gas stations, fitness centers, and movie theaters. The impact of special permits on economic development is two-fold, and both have a chilling effect on developers' decision to come to Newington. The special permit requirement adds a minimum of an extra month to the approval process, but more importantly it adds an element of uncertainty because TPZ's decision on whether to approve or deny an application is subjective. The would-be developer has no way of knowing if his project will be approved without first investing a lot of time and money. All things being equal, the developer who wants to open a restaurant somewhere in the greater Hartford area is much more likely to choose a town where he doesn't have to go through the special permit process.
3. Time of Application Processing is another factor in developers' decision. I am pretty sure that the amount of time it takes to get an answer from Newington's TPZ compares very favorably with other towns, but it too could be looked at more closely. The complaints you occasionally hear about how long it takes to break ground are always due to post-decision delays, and in those cases the delay is 99% of the time due to the applicants' consultants and not town staff.

I suggest this item be put on the next TPZ under “New Business” for more discussion.

cc:  
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