

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP
Date: August 3, 2020, 2020
Re: **Petition #26-20: Site Plan Modification at 135 Fenn Road. Stanwell Associates LLC, owner/applicant; Mario Giguere, 97 Stanwell Road, Newington CT, contact.**

Description of Petition #26-20:

135 Fenn Road is in the I (Industrial) zone. The owner of the property would like to be relieved of the requirement to install a sidewalk in front of his property, which is shown on the site plan that was approved by TPZ on November 13, 2019. There are no other sidewalks on that side of the street nearby.

Staff Comments:

In the Town Engineer's written comments to the applicant dated November 5, 2019, the Town Engineer directed the applicant to add sidewalks on the site plan:

28. Provide 5-foot-wide sidewalk along entire Fenn Road frontage of parcel per TON sidewalk plan.

The Town Engineer felt that sidewalks in this area were warranted due to the site's proximity to the retail building directly to the south, and to the Woodlands condominiums approximately ½ mile to the north. The zoning regulations require sidewalks in the I zone if TPZ determines that they are needed. The applicant's consulting engineer did not raise any objection to the Town Engineer's statement, and the need for sidewalks was never discussed during the meeting.

I have no objection to approving the applicant's request.

Separately, I also recommend TPZ take a look at the rather haphazard sidewalk requirements. Sidewalks are mandated for special permit activities in the R-7 and R-12 zone, but may be required for special permit activities in all other zones. Sidewalks are mandated at by-right activities in the R-D, CD, PL, Workforce Assisted Housing, and B-TC zone, but not in the other zones, which means that TPZ cannot require them at a by-right project (such as a new commercial building) in either the B zone, B-BT zone or PD zone. Sidewalks can be required at restaurants because restaurants require a special permit, but not at a medical office building. This does not make any sense, and should be addressed.

cc:
Town Engineer
file

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