

TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

Town Planner

Memorandum

To: Town Plan and Zoning Commission
From: Renata Bertotti, AICP – Town Planner
Date: January 05, 2022
Subject: **Petition #54 – 21, Zoning Regulations Amendment (Sec. 3.19.2.B.1) to delete the requirement that residential developments in the PD zone be located on sites with direct access to the Berlin Turnpike or streets that directly connect to the Berlin Turnpike, Applicant: Alan Bongiovanni**

The applicant is proposing to eliminate the requirement of direct access to the Berlin Turnpike for residential developments within the Planned Development (PD) zone.

Our research indicates that the TPZ adopted PD zone in June 1974, by renaming previously existing Restricted Commercial zone (RC). At the time, the apartment buildings were allowed by special permit, and no special rules related to access to Berlin Turnpike, or any other specific street, existed. While it is unclear when the requirement for direct access to Berlin Turnpike was added to the regulations, we were able to establish its presence in regulations as early as August 31, 1988. Since we were not able to locate the original adoption meeting minutes for this provision in the regulations, we do not know what prompted the Commission at the time to impose this particular restriction, which reads in part:

“Residential building may be permitted subject to the following conditions.

1. Location

No site location shall be approved unless it has direct access to the Berlin Turnpike or to a public street which directly connects to the Berlin Turnpike.”

Staff Comments:

While I cannot be sure of the reason for including the existing language into the regulations, I suspect that at the time of the adoption, the restriction was an attempt to control traffic on residential streets. If that was indeed the intent, and if that is the

continued intent, I find the subject provision not to be particularly helpful for the following reasons:

1. This provision applies only to residential developments in PD zone. High traffic generators such as for example a Costco or Target are not subjected to this same requirement, and can have access off any street that has or does not have a direct access to Berlin Turnpike.
2. Residential use in PD zone is subject to special permit approval by the TPZ. The traffic consideration is listed as one of the criteria the TPZ must consider when reviewing special permit applications. Our regulations under Section 5.2.6 D, allow the TPZ to require certain analysis and studies be submitted with development applications. I believe that once zoning districts are assigned, and uses within them are decided, it is the most appropriate to consider traffic information and potential impacts on a case by case basis at the special permit stage when the data submitted is the most relevant and project specific.
3. There are number of PD zoned parcels in areas of Town that are quite a distance from Berlin Turnpike. PD zone at Fenn / Cedar, while it connects directly by Cedar Street, is located about 3 miles away from Berlin Turnpike. The PD zone at Hartford Ave / North Mountain Road is neither close nor does it connect. This provision affects differently PD zoned parcels in different parts of the Town.

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