Chairman Domenic Pane called the regular Zoom meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present
Chairman Domenic Pane
Commissioners Bryan Haggerty
Commissioner Garret Havens
Commissioner Jonathan Trister
Commissioner Stephen Woods
Commissioner Hyman Braverman-A
Commissioner Stuart Dzod-A
Commissioner Thomas Gill-A

Commissioners Absent
Commissioner Anthony Claffey
Commissioner David Lenares

Staff Present
Renata Bertotti, Town Planner
Erik Hinckley, Asst. Town Planner/ZEO

Commissioner Drozd was seated for Commissioner Claffey and Commissioner Gill was seated for Commissioner Lenares.

III. APPROVAL OF AGENDA

No changes

IV. PUBLIC PARTICIPATION (For items not listed on the agenda; speakers limited to two minutes.)

Jeff Zelek: Good evening. I noticed on the agenda tonight that there are five or six applications and they all use the term special permit. Members of the public, we’re not familiar with what that means. I looked at the zoning regulations and I don’t see any definition for special permit, and I’m just wondering if someone could just brief the public on what a special permit is, what the requirements are, and how it differs from an ordinary permit. Thanks.
Renata Bertotti: In really brief terms, the special permit is a use that is generally considered permissible within the designated zoning district, but due to the potential, and it is allowed for categories of uses that may have impact, and those categories of uses because they could potentially have some impact are to be reviewed on a case by case basis and because they are recognized in such a way, the Commission is given the authority to review them under the special permit criteria, and then within the zoning regulations, each municipality within the State of Connecticut has rights to develop rules by which they can treat their special permit uses. Those rules however, are limited by what is granted by general statutes, so as everything in zoning our rules are passed over from what the State has given us the authority to regulate. In that sense, there are certain things in state statutes that regulate how we can regulate special permit uses. So, for example, one of the things that we could do previously but no longer can do, is we could consider character of the neighborhood before, but now, since last year, if we do not have character defined, and it has to be defined specifically as to physical characteristics, as they pertain to the site specific elements or building specific elements. Then we cannot use that term any more in our regulating of special permits. So, those are the kind of things that are sometimes things that towns use to regulate special permits. Traffic is another one. When you look at for example, a retail district, you know, if somebody comes in and proposes another retail, then that would be something that under special permit would be seen as something that belongs, so you can have a furniture store, that generates less traffic and you can have a high traffic generator and then that high traffic generator could be denied because it generates a lot of traffic versus the furniture store that doesn't. So that furniture store does not stress the street perhaps as much as say Costco or Target does. So that is what happens. You have used it as a right, zoning permit, permitted under site plan approval, special permit, like I said, is a use that is considered allowed in the zoning district, but because of it's potential for impact, it is subject to the special permit criteria. That is what a special permit is.

V. REMARKS BY COMMISSIONERS

Commissioner Braverman: Regarding all of the petitions that are on the agenda, I'm just kind of curious as to how many children will be living in those complexes? Does anybody know?

Chairman Pane: That is a question that would come up under a particular one that you are talking about. You're talking about a particular application?

Commissioner Braverman: Well, where ever there is going to be apartments.

Chairman Pane: Is there something on the agenda tonight that you are referencing, or are you talking in general?

Commissioner Braverman: I'm talking in general.

Chairman Pane: I'll ask Renata if she would like to answer that.

Renata Bertotti: No, I would not like to answer that, I think that is a question that should be answered by each applicant presenting tonight, and then the Commissioner may consider that.

Commissioner Braverman: I just wanted to know if you had a general view.

Chairman Pane: If I'm not mistaken, we're not really supposed to take that into consideration so, but you can ask that question at any time when there is an application coming up if you would like.
VI. PUBLIC HEARING

A. Petition 10-22 Special Permit (Sec. 6.2.5) for a freestanding sign at 3333 Berlin Turnpike (Pane Road Entrance) Applicant: HJG-PC Newington Investor, LLC, Owner: The Rocky River Realtor Co., Contact: Jamie Anderson

Dennis Godere: Good evening, my name is Dennis Godere representing the applicant on behalf of BL Companies, Meriden, Connecticut. As you likely recall, back in the late spring, early summer the Commission had reviewed the special permit for the development of 3333 Berlin Turnpike, associated with a residential and commercial development which was approved. We are in our final stages of other approvals including what is before you tonight for a sign for the residential development and another hearing which will occur after this one for the commercial development portion. The sign application that is before you today is highlighted here, along Pane Road in the yellow. It is simply highlighting the residential component of the development which is primarily entered through Pane Road, but also can be accessed through the Berlin Turnpike, and there is identification on the sign from the Berlin Turnpike for the residential component as well, which we will talk about later in the evening.

As you can see, it's four feet high, eight feet wide, the signage itself identifies the development, it's sixteen square feet on both sides, staying within the requirements of the zoning regulations. It will be externally illuminated as was noted in the application and the staff report. I will zoom in along the street frontage, you can see along, I'll highlight the edge of curb so that you can clearly see it, so this the end of curb for the driveway going into the site, and then this is the location of the sign and I have identified the sight lines, so it is not obstructing the sight view as well. This sign, you will see is a neutral color and there is stone veneer that is proposed. It matches what you will see for the commercial development as well, to create a cohesive overall development environment.

I think that is about all I have to present on this. It seems to be fairly straightforward. Jaime Anderson is with us from the development from the applicant, and if there is anything you would like to ask or that he has to add?

Jaime Anderson: Thanks Dennis, I'm good.

Chairman Pane: Thank you very much. We'll go to the staff report, and see if they would like to review their staff report.

Erik Hinckley: As I said in the staff report, it is, and was pointed out by the applicant, it is an externally illuminated, it is behind the sight lines, and it's more of a ground mounted type of sign, they didn't go up the seventeen, eighteen feet that they are allowed. I think it works for the residential side of the program, and I think it's fine.

Commissioner Gill: Is this a single sided sign?

Dennis Godere: It's a double sided sign.

Commissioner Gill: The illumination, where is it getting it's power from?

Dennis Godere: It will likely tie into the electrical system that is serving the site.

Commissioner Gill: Okay, so there will not a separate meter out there as far as sight line and whatnot, that is what I was concerned about.
Dennis Godere: We wouldn't anticipate a meter standing up anywhere.

Commissioner Gill: Okay, now the apartment, what address are the apartments? Are they 3333 Berlin Tunpike?

Dennis Godere: I don't believe an address has been assigned at this point, but right now the entire property has been 3333. The property has been subdivided and that has been on file, but if there is a direct address associated with that, I am not aware.

Jaime Anderson: This would have frontage on Pane Road so my guess is that it would have a Pane Road address, but that would be up to the town to decide.

Erik Hinckley: That would be discussed with the Town Engineer, he is involved with assigning addresses so you can request that, and he will assign you an address.

Commissioner Gill: One of my considerations for signs is that they have the address that it is referring to for a lot of different reasons, and we had talked about some signs past that they had said they would put the address on there, but they did not do that. My consideration is, if there is going to be a Pane Road address, I would prefer to have that address on the sign. Thank you.

Commissioner Drozd: Is it possible to show the screen again that has the larger view of the sight line? It's obviously a little different than the paper version that we have, I appreciate it. I'm looking to see how it would affect someone turning left out of the development onto Pane Road. Does that intersect with what would be a driver's window on a car based on, is that dark line where they would have to stop to be legal for the stop sign?

Dennis Godere: This is the stop bar, and then right here is the stop sign, and then it is measured back a distance of around four or five feet, and this is the same exact sight line that we used during the special permit application back in the spring, early summer, so when somebody is pulling out and then turning right onto Pane Road, this is where the driver would be viewing from, and looking to their left and that, as you can see here is where the sign is, it would be out of their, it would not be obstructing their view.

Commissioner Drozd: It looked really close which is why I wanted to blow that up and spend some time on that, thank you.

Chairman Pane: Any other questions from the Commissioners? Hearing none, we'll go to the public. Is there anyone from the public wishing to speak in favor of this application?

Jeff Zelek: Not speaking in favor or against the application, just curious as to if Newington Zoning and Planning has environmental lighting standards and have they reviewed it and does the sign comply with the dark skies initiative?

Chairman Pane: Thank you. Anyone else wishing to speak in favor? Anyone wishing to speak in opposition? I'll turn it back over to the applicant, if they would like to answer anything.

Unidentified speaker: Question for you, are these again low income housing or......
Chairman Pane: This is a sign application for a sign, this project was already approved. Does that answer your question? I hope that answers your question. Okay, going on, does the applicant want to answer the questions that were raised by the public?

Dennis Godere: Yes, related to one of the Commission member's comments, that had to do with the address, I believe there will be appropriate space on sign to add the actual physical address, I think that would be appropriate from a public safety standpoint. As far as lighting, we are more, as a condition of approval willing to work with staff to insure that the lighting would be appropriate, would not be obtrusive to the neighbors or from an environmental standpoint.

Chairman Pane: Very good. Thank you. If there is anyone from the opposition that would like to have the last word? Anyone from the public who is in opposition? Hearing none, I'll ask the Commissioners what their opinion is. I think this hearing can be closed.

Commissioner Woods moved to close Petition 10-22 and move it to Old Business for possible action. The motion was seconded by Commission Drozd. After a roll call vote the motion passed unanimously with seven voting YEA.

B. Petition 11-22: Special Permit (Sec. 6.2.5) for a freestanding sign at 3333 Berlin Turnpike (Berlin Turnpike Entrance) Applicant: HJG-PC Newington Investor, LLC, Owner: The Rocky River Realtor Co., Contact: Jamie Anderson.

Dennis Godere: Now we are on the Route 15 Berlin Turnpike portion of the property where the frontage is located, and the sign you can see highlighted here in yellow. You can see the sign to the left identifying the name of the overall development from the commercial side and then tenant sign and the primary anchor and as I had noted there is the name of the residential development located on this sign as well. It is at the maximum of 18 feet. It is pretty much at the overall square footage, but it is definitely not above so we’re just below it at 287 square feet of total sign, where 300 feet is permitted. I would just like to note that the right of way for the state highway is right here, and there is an interesting jog but we are within the property limits and we are not within the sight lines. This will be a signalized intersection and the office of State Traffic Authority is reviewing all of the application right now, but there will not be any interference of sight lines. If somebody is looking to make a right hand turn on a red, the sign is on the southern side and would not in any way impede in their sight lines for oncoming traffic. If somebody is looking to take a left, they can’t do so until they have a green light anyway. Again, this is an internally illuminated sign, so we don’t have any up lighting or down lighting associated with it, and again we are within the overall size and square footage of the regulations.

Chairman Pane: Very good, we’ll go to staff right now.

Erik Hinckley: As pointed out, the application meets the height requirements of 18 feet and is under the maximum allowable square footage for both sides, and I’m sure as was previously brought up that the applicant would be amenable to adding the address as needed for the site, and it is within their property, it’s not within the sight lines, again, a fairly simply, straight forward application.

Dennis Godere: I forgot to add that we are more than happy to add the address to this sign.

Chairman Pane: Very good, thank you. Is there any questions from the Commissioners? Seeing none, I will go to the public. If there is anyone from the public wishing to speak in favor of this application, please
raise your hand. Anyone wishing to speak in favor to the application? Anyone wishing to speak in opposition to the application? Any one wishing to speak in opposition?

Jeff Zelek: Thought you were going to ask if anyone was commenting in general. Not for or against the sign, but just curious, this was a special permit application and just curious why this would have been a special permit, what was the potential for impact that the Commission needed to understand? There was a comment that this was a straightforward application, but it is a special permit so I would like to understand why. Thanks.

Chairman Pane: Are there any other questions from the public? Anyone else? Erik or Renata, if you could answer that question.

Renata Bertotti: Sure, without going too much into back and forth, otherwise we are going to be sitting here until 3:00 a.m., signs as a general category may have the ability to have an impact in a zoning district. For example, you can have a sign that is completely internally illuminated and that is located for example on the side of this property, and across the street you can have a residential district, let's say hypothetically speaking. In that instance, having a sign would have been an impactful, perhaps thing which is why signs, as a general category require a special permit. So the Commission reviews these in order to establish how much of an impact, if any, do these applications have. So in this instance, this particular sign, double sided on the Berlin Turnpike, does not have an impact, I happen to think, let's see if the Commission agrees when they vote tonight.

I'll just turn back to the other question, because I don't think it was answered, the question in regards to dark skies compliance, no, our regulations do not have that, our zoning regulations are not dark skies.

Chairman Pane: I'll go to the applicant to see if he has anything that he would like to add.

Dennis Godere: At this point, we do not.

Jamie Anderson: One thing, sorry to interrupt, just for the record, the name of the commercial development Meadow Commons, is pretty etched in stone, but I do not believe that the Villages at Meadow Commons is going to be, it could be, but just for the residential development, just to get that out there, that is still up in the air, the name of that.

Chairman Pane: That's understandable, no problem. Is there anyone from the opposition that has anything? I'll entertain a motion to close Petition 11-22.

Commissioner Woods moved to close Petition 11-22 and move it to Old Business. The motion was seconded by Commissioner Gill. After a roll call vote, the motion passed unanimously with seven voting YEA.

C. Petition 07-22: Special Permit (Sec. 3.19) to allow a residential development in the PD Zone at 35, 67, & 69 Culver Street and 258 Deming Street, Applicant: AR Building Co., Inc., Owner: RDTHREE, LLC. Contact: Bongiovanni Group, Inc.

Chairman Pane: I think we are just going to cover the special exception here, and we will talk about site plan under New Business, if that is okay with you.

Bill Sweeney: If it pleases the Commission it might be appropriate to combine the two presentations at once, you can handle them separately, because they are about the same issue.
Chairman Pane: That's okay with me, I'll check with Renata, I just wanted to make sure that you were comfortable with it.

Bill Sweeney: Definitely, there are definitely two separate applications, but for the interest of time, I know that you have other items on the agenda, it just makes sense to combine the presentations.

Chairman Pane: Renata, you don't have a problem with that, correct?

Renata Bertotti: Absolutely not, I think for you to gain the understanding of this development you need to have that type of presentation.

Bill Sweeney: Good evening, for the record, my name is Bill Sweeney, I'm a partner and a land use attorney in the law firm of Toten, Carberry, down in New London, Connecticut. I certain appreciate the opportunity to appear before you once again this evening, it's good to see everyone and some new faces as well. As you know, I represent AR Building Company which is a Pittsburgh based privately owned multi-family housing developer that owns and manages over 9,000 units of market rate multi-family housing, both nationally and throughout New England. The Commission is also aware that my client is vertically integrated and when I say that, I mean that it develops, it constructs, and then holds and maintains the projects in its own portfolio. That really distinguishes it from a lot of other national and similar regional developers. Tonight we have submitted to you an application for a special permit and site plan approval for a 225 unit multi-family residential development at the corner of Culver and Deming Streets in Newington. This property as you know is located within your Planned Development District, where multi-family residential development is permitted under Section 3.19 of your zoning regulations. Joining me tonight on the call, is Jason Kabiskis, Jason is the president of AR Development Company, I also have with us Ellie Mitchell, she is director of development at AR Building, our project design lead, Alan Bongiovanni, who you know very well, from the Bongiovanni Group, and also Joe Peraginni who is our project engineer with Weston Sampson. We also have our traffic engineer Scott Hesketh from Hesketh Associates, and finally we have Jeff Campbell who is the project architect with Roth, Childs, Donyel collaborative.

My plan tonight, and I know that you have a busy agenda is to try to be as brief as possible, but to provide you some background on the application and highlight our compliance with your regulations. Mr. Bongiovanni, Mr. Peraginni will walk you through our site plan, they will discuss engineering details, we'll talk about site grading, utility connections, our storm water management plan, we'll talk about landscaping and lighting and erosion and sediment control measures. Mr. Hesketh will provide you with an overview of the traffic impact study that we have submitted to the town, and he will focus on traffic generation from the project, impact on the nearby intersections, and most importantly overall design safety.

Mr. Campbell will share with you the architectural designs for the project including our building elevations. Finally I will come back and will review with you the second part of the criteria, the site plan standards that you are obligated to use tonight in evaluating our application. As you know, AR Building has a purchase agreement for this property and if we are approved tonight, or in the near future, we hope to move forward toward a closing on the property and start construction later this year. So, just a little bit of background, you have before you sort of a birds eye rendering of the project on Culver Street. This subject property has been known as the former Haltner farm and it encompasses approximately 27 acres of land at the corner of Deming and Culver Street. As the Commission I'm sure recalls, this property was previously split zoned with the eastern portion of the site, that is the portion of the site that is in the foreground, of the rendering was originally located in the R-20 District. The Commission re-zoned the property back on November 22, 2021 to make it entirely within the Planned Development District which is where it sits today. Further, as you know, the Commission also amended your zoning regulations on
January 26th of this year to remove any requirements of residential projects still in the Planned Development District that have quote, direct access to the Berlin Turnpike.

Finally in the plan that we will share with you tonight, was approved on November 16, 2021 by the Inland Wetlands Commission. This evening, as you listen to our presentation and we go through our speakers, again we'll try to be as brief as possible, it's important that you remember your legal charge. As I mentioned previously, multi-family residential development is permitted in the Planned Development District by special permit. Now there are certain conditions contained in Section 3.19.2 B which must be met and these include minimum site area, allowed density, provided recreation area, building height, building spacing, the location of dwelling units, parking space requirements, and fire protection. I would submit to you, and our plans will demonstrate tonight that we meet or exceed all of these requirements as well as the standard both in dimensional provisions for the underlying planned development district. More importantly though, you must also consider our application in reference to your special permit criteria, that is contained in Section 5.2.6 of your regulations and your site plan standards which are contained in Section 5.3.3.

Erik did an excellent job as usual with his staff report, he really laid the criteria for you to review. Tonight you will need to evaluate those criteria standards, based on what is very important which is the substantial evidence within the record of tonight's meeting. That is evidence that we have submitted as part of our application, and that is evidence that we are going to submit as part of our presentation tonight, and that is really you have to decide and make your decisions based on that body of information, and you also have to give due and proper weight to expert testimony, testimony like that of our traffic engineer Mr. Hesketh which has been and will be presented. I will review the criteria and standards with you, in clear detail with you later tonight, and at the end of our presentation. So at this point, I'd like to turn over the presentation to Mr. Bongiovanni who is going to walk you through our site plan, get you acquainted with the site plan, and then we will go from there. Thank you again.

Alan Bongiovanni: Good evening Mr. Chairman, Members of the Commission, staff, for the record, my name is Alan Bongiovanni, 170 Pane Road, Newington. The plan that I have before you is our general site layout plan. As Bill said, the site is 26.25 acres in the PD Zone. It is bounded on the north by Deming Street, on the east by Culver Street, to the south is the Cobblestone Condominium, to the southwest would be the Costello Industrial Park, and to the west the rear lot, or the eastern lot in the Costello Industrial and then the Lowe's Home Center Plaza just immediately west of us.

The subject property again is 26 and a quarter acres. There are significant challenges to the site that we have made a very careful effort to avoid from the environmental perspective. You look at the north of the property, northeast of the property there is an existing pond and watercourse that traverses to the west; in the central portion of the site there is a pond and then the southern portion, the southeasterly portion there is also another watercourse starting at Culver Street and going in the southwesterly direction. This was a farm, our proposal is to preserve all of those natural areas and environmentally sensitive areas, and the work that we are proposing has been designed to just work in those areas that are fallow farm fields. They are areas that are not adult forests, but they are second growth and re-growth of fallow farm fields with a lot of invasive species. We worked very closely with the developer and Jeff Campbell the project architect in coming up with a project that is sensitive to the site, while yielding to the developer's desire to get a sustainable apartment complex. Our proposal as shown is five buildings, 45 units per building, each building would be four stories high, for a total of 225 units. We also have a sixth building which would be a clubhouse.

Our access to this site is from Culver Street. We have two access, the northerly drive would be our main entrance and exit to this site, and the southerly drive would be for emergency access only and would be gated for that purpose.

The grades on the site, although in the environmental sense, the environmentally sensitive areas, are significant in areas. By utilizing the former farm fields we were able to achieve relatively gentle grades.
The driveway access into the site is about 3 percent. There is no pavement on this site, driveways or parking that exceeds 5 percent in elevation. We have spaced the buildings out so that it works within the environment, without disturbing the sensitive areas. We created a nice formal entry way, showcasing the clubhouse building and then the residential buildings would be to the west of that or to the south.

One of the things that is important to understand about the layout of this property is the fact that we have condensed the development, condensed the housing units into larger buildings that are going to affect a smaller portion of the site and still yield a significant development. The zoning criteria for density allotment toward the PD Zone is one unit per 1500 square feet of land area. That would allow us about 760 units. Our proposal is not to come even close to that, we are about at a third of that at 225 units. We had heard previously in the zone change application that that was just a foothold to get in there and start, and as you will see in my presentation, all the environmentally sensitive areas we are conserving with a Conservation easement that was approved by the Conservation Commission. Of the 26.25 acres of land on the site, 15.05 acres will be conserved in a conservation easement to the Town of Newington so that there can be no further development on this property. The conservation easement equates to 57.3 acres of the total site.

The property will be serviced by Metropolitan District, sewer and water and we have provided the Commission with a letter of availability for those services from the Metropolitan District Commission and will be serviced by typical utilities, Eversource and the like, in this area. The parking for the project, when we designed this project, it was two spaces per unit, there has since been a revision. The developer feels that the right number for this is about 1.7 cars per unit. It's a mixture of fifty percent one bedroom units and fifty percent two bedroom units, and based on their vast experience of owning and operating over 9000 units, they feel that the 373 spaces is the number of spaces that they need. We had shown on the plan in our previous presentation a request to wavier from 450 spaces, or defer those, we’re not asking to do that any more because they are no longer required, and we will just remove them from the plan on the final rendition. One of the reasons that we are asking for the 373 spaces as opposed to the minimum requirement of 340 is that this developer is very forward thinking. They provide up to forty percent of their car spaces as electrical charging stations and they are prohibitive of internal combustion engines for parking there, so as time goes on, you might not need the 373 parking spaces, but probably for the foreseeable future a lot of the traditional internal combustion engines cars won't be able to park in those, and we don't want to create a shortage because we are making plan for more if not all vehicles becoming electric.

The project, again I talked about the utilities, will be serviced by utilities, a private sewer system, accessing Cambridge Drive, ultimately going to the MDC. Water is provided, we also have fire service lines throughout the project. This project has been reviewed by the Fire Marshal and we have designed the geometry of the roads and driveways to accommodate all of the emergency service vehicles in the Town of Newington including the ladder trucks and this has been approved by the fire Marshal, we’ve also spaced fire hydrants throughout the site to accommodate their desire if there is some disaster, a fire to occur on this property. Along with that, these buildings will be fully protected, meaning that they will be fully sprinklered, as they are a four story building and that is part of the code that we have to work with. We’ve designed site lighting for the site, to provide safety and security. We have a zero full cut off light fixtures, we’ve provided photometrics with our design so that we have no fugitive light spilling out onto neighboring properties. At the property line there is no increase in brightness from any of the site lighting proposed on this site.

We have distributed throughout the site some dumpster locations, so that they are readily accessible to the unit owners and provide adequate coverage for the property. Our landscaping plan and because of the scale of the drawing I didn't provide colored renderings, but sheets 19 and 20 of the set of plans show what we are proposing. Tom Linden our landscape architect I think did a fabulous job creating a really generous design of 137 proposed trees, 914 shrubs and
flowering plants and another 175 buffer plantings in the areas of the perimeters of our disturbance to help buffer the environmental sensitive areas. The landscaping plan provides seasonal color, it provides buffering where necessary, shading of parking areas and a great aesthetic feel for this site.

With that, I don’t want to take any of Mr. Pereginni’s thunder away, I’m going to introduce him and let him talk about the storm drainage and the erosion sediment control.

Joe Pereginni: For the record, my name is Joe Pereginni, I’m with Weston and Sampson and we are located in Rocky Hill Connecticut. The plan you have before you is the grading and drainage plan. As Alan mentioned, this site has these resource areas that we understand the way the drainage patterns go that we have to work with the existing watershed. Making sure that our watersheds and our drainage direct runoff, and we try to match existing drainage patterns. So in that respect, we have designed our storm water management, our sizing, our drainage system to capture the run off and make sure that it is directed back to those resource areas. We don’t want to deprive those areas, or overload them in any way, so early on in the process we met with the Town Engineer, we have had subsequent meetings, we discussed our drainage approach, and over the course of time have worked with them to address their comments and the plan that you have before you has been reviewed and has gone under, is accepted by the Town Engineer. We’ve addressed the last few comments.

I’ll just give you an overview of that. This site, the main watersheds are primarily in the development area, the northern half of that development, what you see there, that larger parking lot, we have site runoff all being captures, all the impervious runoff being captured from the parking area and driveways in that northern half, as well as most of the roof runoff, is being captures and then directed through an underground detention system. Alan is hovering over that kind of rectangular footprint. Because of wanting to respect the adjacent resources and having a much more compact development is necessary to use subgrade detention. So that is what you see there, under the parking lot. These are large chamber systems, we’re able to reduce the runoff that leaves this site, to below what currently runs off the site now. So we are having a reduction in overall runoff.

We are not taking into account any infiltration below the system. We’re taking more of a conservative approach so that is not being counted, but that also goes a long way toward recharging the ground water. There is a small area to the northwest behind the building, that is a small surface detention. It’s more of a general, shallow depression that takes some of the roof runoff as well, and that is also creating some detention.

Along the southern half of the property, along the southern border, behind those units there is two separate detention; one behind building five and behind building three similar to the other system. This is going to reduce the overall runoff rate. The wonderful thing that discharged to a pair of scour holes for, I’m sorry, rip rap aprons, that is just to reduce the velocity of run off. It’s also being done at the other discharge as well to the northwest. Prior to any runoff entering these systems, it is being treated. We have Connecticut DOT approved units that will remove 80 percent suspended solids, and then there is going to be some further treatment through the subgrade detention system. Those, there are rows within those systems that are isolator rows so those are wrapped in a geotextile fabric to provide some backup and even further treatment so overall we’re well over 90 percent of sediment removals from this site, which exceeds the requirement, minimum of 80 percent.

So also there are other measures that are going to provide some treatment that are standard in the town, debris hoods, outlet pipes, three feet deep, sumps on all of the catch basins, so we will have a high level of treatment from the project of storm water.

All the roof run off is being directed to the subgrade detention in order to meet those requirements. I’ll probably talk a little about erosion and sedimentation controls. This is a fairly large site, so we have to evaluate whenever we exceed a certain threshold of disturbance. In some cases we have to add some temporary sediment traps when ever we exceed what a perimeter sediment control can handle. We will have that covering over several locations where we are installing some sediment traps. These can get
moved time to time during construction but they should provide sufficient protection. You have all the other typical sediment controls around the perimeter. We have dual measures of silt fence backed with either hay bales or filter tubes. DEEP now requires dual measures on sites that exceed a certain slope. The other measures that are pretty standard, anti-tracking pads at the entrance and exit from the site, stockpiled locations are shown throughout, there will be perimeter controls around those, any catch basins will have inlet protection so we don’t add sediment to the new drainage system, and certainly the other standards, like dust control slope protection, all the other measures that are standard for the state will be implemented. Also, lastly I would like to mention because of the size of this site and the disturbance, this project will be required, after local approval, to go to the State for Connecticut Storm Water Discharge permit. All these measures that you see on the plan here will be formalized into a storm water plan. That report will also indicate the level of storm water inspections and oversight that will be required during construction. There will be storm water inspections that will have to be made on a weekly or after a certain size storm event, so these measures will be evaluated during construction, a report will be made, it will all be documented and the inspector will also advise the contractor when measures are either failing or need to be replaced, or something needs to be addressed. I always like to mention that, that there is an extra layer of regulation when it comes to sediment control. That ends my presentation.

Scott Hesketh: For the record my name is Scott Hesketh, licensed engineer in the State of Connecticut, firm of F.A. Hesketh and Associates. Our office is in East Granby Connecticut and I’m the author of the traffic impact report which has been submitted in support of this application. The report is dated July 2, 2021 and revised through February 8, 2022. Looking at the potential traffic impacts of this proposed development and the trip generation potential thereof, in order to do that we obtained a traffic volume counts from the Connecticut Department of Transportation. We conducted spot turning movement counts at several intersections, and in January of 2021 and November of 2021 we conducted additional turning movement counts in response to Commission comments at the zone change hearing, and that is the reason for the revision and updates to the report. We wanted to make sure we included all of the relevant information. We obtained traffic volume counts on Deming Street. Deming Street, according to the DOT carries about 8500 trips a day, with an afternoon peak hour of slightly under 800 vehicles. That is in the area between the Wal-Mart driveway and Route 15. According to automated counts conducted by our office in November of ‘21, Deming Street in the vicinity of Culver Street carries about 5,000 trips per day, peak hour volumes of about 230 in the morning peak hour, 560 trips in the afternoon peak hour. Culver Street carries an average daily traffic volume of about 3,800 with morning peak hour of 200 trips and afternoon peak hour of 400 trips. We used this data, and the turning movement counts conducted at several intersections, the intersections of Route 15 and Deming Street, and Deming Street and Culver Street, and we also conducted counts at the intersection of Colby Road and Route 160 in the Town of Rocky Hill. We used all of that data to form the background traffic volumes for the design area, and we used a one and a half percent per year growth rate to a design year of 2024 when it is anticipated that this development might be open and operating at full capacity. Using that information, the proposed development is 225 apartments and according to the Institute of Transportation Engineers trip general report, a development of that size is projected to generate 81 morning peak hour trips and 99 afternoon peak hour trips. We distributed that traffic to the roadway network and we conducted capacity analysis calculations at the intersections where we had done the turning movement counts. We reviewed the background and combined traffic volumes conditions to determine if the site generated traffic would have an impact at any of those locations. The results of that analysis are summarized in table 4R1 in the report, and the results indicate that all of the intersections that we had reviewed will continue to operate at the same level of service under the combined traffic conditions as they do under the background traffic volume conditions. For instance, the intersection of Deming Street and Culver Street during the morning peak hour, all approaches operated at level of
service A, in average delays of under ten seconds per vehicle, during the morning peak hours, and in the afternoon peak hours, the approaches operate at a level of service B or C during the peak hours under background and combined traffic volume conditions. Now there is more traffic, and there will slightly more delay but there are minimal impacts as a result of this particular development.

The intersection of Culver Street and the site driveway, all movements operate at level of service A or B during peak hours indicating acceptable levels of service with minimal delays. We had an opportunity to review the existing roadway conditions out on Culver Street and the design of the proposed site access driveway to Culver Street. The driveway provides a single lane for both entering and exiting traffic, site driveway is proposed to operate under stop sign control. Again, it will provide excellent levels of service and we had a change to review the intersectional sight distances for vehicles exiting the site driveway.

Based on the current ConnDot criteria we require an intersection of 522 feet and the sight distances of the proposed driveway location are in excess of 600 feet in both directions, so we believe that we meet the ConnDOT criteria. This project, not only does it need site plan and special approval by this Commission but the project also requires review from the Office of the State Traffic Administration as a major traffic generator. We have made application to that organization for an administrative decision and we expect that should this Commission grant approvals that the Office of the State Traffic Administration will grant an administrative decision within the next two to four months.

That is a summary of my report analysis, based on the background traffic volume conditions, based on the projected site generated traffic volume, the levels of service of the adjacent intersections, and combined traffic volume conditions, it's my professional opinion that the existing roadway network has sufficient excess capacity to accommodate the traffic volumes associated with this development and will not imperil the public safety at these intersections or roadways. If the Commission has any specific questions related to traffic, I will be here for the rest of the hearing and be able to address them at the appropriate time.

Attorney Sweeney: I've worked with Jeff now for the better part of seven years on projects all over the State of Connecticut, and Jeff, if you could introduce yourself and the architectural team, I'd appreciate it.

Jeff Campbell: I'm an architect with Rothchild, Dana collaborative. We are a architectural firm located in Pittsburgh. Our firm has been working with AR Building for a little over 23 years now, and I personally have been working with them for 18 years. The reason I bring that up is because as Attorney Sweeney mentioned in the beginning, AR owns and maintains these projects, so everything that they have been developing over the last twenty-two years we have been a part of, we've been with them, we've gotten a constant feedback from all of the tenants and have been able to constantly adjust and tweak these making sure that it's a little bit better.

We're excited about what we are proposing here. This would be five buildings that are split roughly fifty fifty between one bedroom and two bedrooms, we've 112 one's and 113 two's. Each building would be four stories high, you can see the elevations in front of you, the front and rear elevations. The buildings are fully elevated, they are also accessible so every unit has some level of accessibility to it. They are fully sprinklered under NFPA-13R. Each unit also has its own porch, I think that is, they found that to be a really good selling point, people like to have that outside space. Every unit on the interior has its own washer-dryer, we have walk in closets and also in every bedroom, every bedroom has its own bathroom. So a two bedroom unit has two bathrooms in it, which is nice, tends to be on the higher end of the market. There are good clean contemporary finishes on the inside, so we have luxury vinyl flooring, granite counter tops, that kind of thing.

On the outside you can see here is what we are trying to do is focus on the aesthetics and the maintenance over the long term, so we do use a lot of brick in every building that I have worked on, and then we have white vinyl up at the top of the building, but that is also sprinkled with a lot of trim that outlines porches and outlines the windows. If you look at some of these details you can see we have
panels, giving a nice residential feel and scale to the building. These materials really break it up. It's a little hard to see, but the porches on every unit and the ins and outs of the building really help to give it a nice, good quality, nice scale.

We also have lots of large windows, we recognize that people want natural light and that really, the market responds very well to that, so we've got a lot of large windows, in some cases, floor to ceiling but all of our sills are higher than, the sills and lower and heads are higher than on typical windows, so we do get that quality in there.

We also have, hidden from view here are the condensers. In a lot of contemporary apartment buildings they have wall units, you will see a unit that vents directly outside each unit. We don't do that. Our units are more like a traditional home where it is a mini-split, so there is a condenser, and the furnace is on the inside of the unit, and the condenser is on the roof. So if you see a little divot here on the top that is actually where all of the condensers are hidden from view. So for the noise, it's not outside the units, and you can't hear them up there and also just from a visibility standpoint it's nothing to worry about.

I'll talk briefly about the club house. The club house is right at the entrance, this is something else that AR puts with every unit, it has a lounge space inside, typically they have a large fireplace, a place where people can really come together and meet their neighbors, we also have a large fitness room, that usually fronts directly off to the pool so you can see on the lower right elevation here those are some large windows usually connecting directly to the pool so people can have that interaction. There is also a management office on the inside and then typically a large parcel room and a mail room. With that, if you have questions on the elevations, I'd be happy to come back and give you more detail.

Attorney Sweeney: I'm going to move to conclude some final remarks and then we can open it up to the Commission for questions.

Again, I really thank the Commission, not only for your time, not only tonight, but throughout this process. We have been before you multiple times, and tonight is really the culmination of our efforts to get this project moving forward. As I mentioned previously, your legal charge tonight is to consider our application in reference to your special permit criteria, which is in Section 5.2.6 and your site plan standards which is contained in Section 5.3.3. Again, you will need to evaluate these criteria standards based on substantial evidence that is within the record, again, giving due and proper weight to expert testimony that we presented. In reference to both of these evaluations, it is important to note that there has been an important recent change in Connecticut law and your Planner, Renata was nice enough to highlight that earlier tonight outside of the public hearing, but you need to be aware of it, exercising your legal duties. Last year Governor Lamont signed Public Act 21-29 that went into effect on October 21st and it changes the way that Planning Commissions like yours must evaluate land use applications.

Specifically in terms of the consideration of the so called character criteria. Regardless of what your regulations read and they have not been updated since this change in state law, you are now prohibited from denying any land use application including a special permit or a site plan because of character consideration. Again, unless you have taken the time in your regulations to expressly articulate clear and specific standards for site work and structures, and that hasn't happened in Newington. Don't feel bad, it hasn't happened in most towns in Connecticut, they have not updated their regulations for the new state standards, but it hasn't been done in Newington and as a result character cannot be considered, or neighborhood character cannot be considered in your deliberations on the special permit or the site plan. In reviewing the special permit approval the Commission can and must consider some criteria and the first one is the need for the proposed use. I think the Plan of Conservation and Development, we talked about this at the previous zone change hearing, the Plan of Conservation and Development makes crystal clear the need for new and diverse housing opportunities within the entire community of Newington, especially in terms of rental apartments. For younger, for older, and for more transient who are not looking for the traditional single family home.
The second criteria in the special permit criteria is that character, neighborhood character evaluation which again, you are not permitted to do because of the change in state law.

The third criteria involves evaluating the size, height and location of the buildings in relation to each other in our project and in relation to other structures in the vicinity. I think it is important when you look at this project in the surrounding area that this project borders high intensity commercial, industrial districts to the west and a variety of multi-family residents to the east. It meets all of your specified dimensional requirements. From our perspective it is certainly an appropriate transitional use in this particular location.

The fourth criteria involves traffic circulation within the site, parking and traffic impact on existing streets and driveways, you received expert testimony in the form of our traffic impact report and the testimony that was provided by Mr. Hesketh tonight which you must give due weight per state law, and that testimony certifies that there are no legitimate concerns to traffic circulation or traffic safety involving this development.

The fifth criteria is the availability of public water and sewer. There is evidence in the record, shown on the plans and discussed by Mr. Bongiovanni tonight that we have, that this project can be served by both utilities and there is sufficient capacity.

The sixth criteria and it involves signage, lights and landscaping and impact to the adjacent properties, the layout of our development as you see on the plan that is displayed in front of you right now, we shifted as much of the development as we can to the western side of the site and toward the commercial areas and industrial areas along the turnpike and we have done that to preserve the significant natural resources on the site. By doing that we have been able to provide substantial vegetative buffers, buffers of fully grown trees all along Culver Street that provide a really substantial visual buffer to protect our adjacent properties and we have supplemented that with the additional landscaping, plantings that Mr. Bongiovanni has discusses as well as full cut off lighting to make sure that there is not undue lighting spilling off of this property.

Finally the seventh criteria under special permits requires the evaluation of safeguards such as buffering. Again, the layout of our development, you can see with the dark green here, particularly in the southeast corner and the fact that Jean Halter’s property is still going to be a buffer to this development, I think we have buffered this project as much as humanly possible to keep it away from Culver Street and adjacent properties.

Now in reviewing the application for site plan approval which is a separate application as we discussed, the Commission must consider several similar criteria in the standards for site plan approval. The first one deals with the character again, can’t be considered because of the changes due to Public Act 2129.

The second criteria deals with traffic circulation and safety and we have already addressed as we did in the special permit criteria.

The third criteria involves public utility availability, again we have already addressed, but it also includes storm water design, and you heard our project engineer go into great detail about our storm water designs to protect both the quantity and quality of water coming off the site, and that has been reviewed and approved by your Town Engineer and will need to go through approval again at the state level in our general storm water permit.

The fourth criteria involves signage, lighting and natural landscaping features, again very similar to the criteria of the special permit which we have address.

The fifth criteria is safeguards to adjacent property, again we provided substantial buffering to protect and preserve the integrity of adjacent properties.

The sixth criteria involves building design, and Mr. Campbell has gone through our high quality architectural design. Again, a design that was put together to try to minimize the footprint of disturbance on this site, rather than just sprawl through the entire site.
Finally, the seventh criteria involves the design of driveways, this has been reviewed and discussed with your Town Engineer and Mr. Hesketh has provided his professional opinions regarding the safety of the driveway conditions for this project. Tonight, if we have demonstrated substantial compliance with all of your criteria and standards as well as the specific requirements of the Planned Development Zone and I would submit to you that we have, my client is entitled to both the Special Permit approval and Site Plan Approval as a matter of law. That being said, we certainly knowledge and we understand that there are neighbors that may not want this project to happen, there are neighbors who would rather see the Haltner Farm remain undeveloped, and we are, and I'm sure that there are people in the community of Newington that would like things to just stay the way they are. They are certainly entitled to their opinion, that's one of the great things about America, they have the right to have those opinions but there really is no legal basis for that petition, as it ignores the property right of the current owners, descendants of the Haltners, have, and my client have to develop this property for what is a permitted use in the Planned Development District according to your zoning regulations. Thank you, I really appreciate the time and attention you have given us tonight, and that concludes our formal presentation. We will be happy to answer any questions you may have at this time. Thank you.

Chairman Pane: Thank you very much Attorney Sweeney. We will go to town staff, Renata or Erik to see if they would like to add anything.

Renata Bertotti: We really don't have much in the way of a staff report at this point. We have reviewed the plans, there are some very minor outstanding comments, nothing substantive either from the Fire Marshal or from the Town Engineer. The Town Engineer is present tonight if there are any questions about the drainage, traffic, and such things. The property I mentioned in Erik's memo actually he mentioned there are a couple of things that we anticipate will change, but the property, as of right now is designed as per our old parking standards, so it provides an excessive amount of parking spaces. They have indicated that they don't need as many, therefore they are probably going to, if this is approved, probably going to come to some point to the Commission with a reduction of parking spaces which will provide some additional green space. One of the things that I also talked about is the crosswalk at the entrance which provides access to across the street sidewalk. There is no sidewalk on the side of the street where this development is proposed and I don't really know if there is anything else of any merit for me, other to mention that I haven't in the memo.

Chairman Pane: Thank you Renata, I'll go to the Commissioners to see if they have any questions for the staff or the applicant. Anyone have any questions?

Commissioner Braverman: I'll go first if no one minds.

Chairman Pane: You aren't sitting on the application Commissioner for a vote, so deliberations would be.....

Commissioner Braverman: I just have a question. I heard it mentioned that there were going to be EV spaces. How many will there be?

Alan Bongiovanni: If I could, the applicant represented during the public hearing for the zone change that typically they go up to forty percent of their parking spaces as electrified parking spaces, so it probably wouldn't start with that many, because there aren't that many EV's on the road, but ultimately there is going to be enough to facilitate all the tenants on the property.

Commissioner Braverman: So, I don't know what percentage, what do you mean, 10, 20, 30?
Alan Bongiovanni: Depending on the demands of the tenants, they are currently going up to forty percent of their parking count as electrified parking spaces, or charging stations.

Commissioner Braverman: Who is the vendor that is going to supply the charging stations?

Jason Kampisi: I’m the president of AR Development and I was on the call and I think just to clarify what Alan is talking about. We are designing all of our properties to have forty percent of our units to be EV ready. What we mean by that is, when we develop the site plan laying out conduits, developing where transformers may go, we think about at some point, we will have forty percent ready when that time arrives. Currently we’re looking at about five percent of our units, and really putting the EV charging spots in front of our buildings as a starting point. Right now, the technology hasn’t taken off, but we think it’s going to happen in the next five to ten years and just want to be ready for that.

Chairman Pane: Thank you very much. Are you all set Commissioner?

Commissioner Braverman: I just wanted to get some clarification as to the charging stations, and what level of charging stations will they be using?

Jason Kampisi: I have to say, there are different levels that come on, and I can’t answer exactly what level they are going to be. Ones that we have used, the typical car takes eight, twelve hours to charge on the ones that we have done in previous places, so these aren’t fast chargers, they are more of an overnight kind of charger.

Commissioner Braverman: Sounds like a level one which takes about 24 hours to charge.

Jason Kampisi: They ones that we have been using take about six to eight.

Commissioner Braverman: Okay, thank you, I appreciate it.

Commissioner Drozd: Just a quick clarification to Scott, the traffic engineer, if you don’t mind sir. I was looking over your traffic counts, 2024 background traffic volumes, for PM peak hours, in your opinion, how long if there is traffic at a stop sign would a car typically be waiting at that stop sign for other cars to clear?

Scott Hesketh: Do you have a specific intersection in mind?

Commissioner Drozd: I was looking at Deming and Culver.

Scott Hesketh: The afternoon peak hour the east bound approach under the combined traffic conditions the average calculates out to about 21 seconds per vehicle, 15 to 16 seconds in the west bound direction and about 14 seconds in the northbound direction.

Commissioner Drozd: The reason I’m asking is because according to the numbers, I believe I am reading this chart correctly, you are talking almost 1,000 cars per hour to be going through that intersection, 988 to be specific.

Scott Hesketh: I’ll take your word on that.
Commissioner Drozd: Just adding up the numbers that were there, just simplifying it. You feel that the longest wait would be 21 seconds for a car when we are pushing 1000 cars through a stop sign per hour?

Scott Hesketh: That would be the average wait, I don’t know what the longest wait would be, but the average would be 21, correct.

Commissioner Drozd: I was looking at that, which is your peak, so is that an average over the course of a day or is that the average in the peak time?

Scott Hesketh: That’s the average during the peak hour.

Commissioner Drozd: Thank you.

Commissioner Woods: Couple of questions on the site. The northern driveway on Culver Street, Mr. Bongiovanni I believe I heard you correctly during your presentation, that was added, I’m assuming because of fire egress, is that what that is for? I thought originally when you came before us you only had one entrance, now I see that there are two, but I also thought I heard you say that would be gated. I just want to confirm that.

Alan Bongiovanni: I believe we had the dual entrances there throughout all the fall application process. It was always intended to be gated for the southerly driveway as the emergency access. Safety requires over 75 units they have to have more than one means of egress, so that is why the driveway is provided in that location. We met with the Fire Marshal on how to best gate that, and secure that and he is satisfied with it.

Commissioner Woods: Okay, and then on the site itself, that green space at the entry, have you given any thoughts to doing some earth berming, to come up three, four, five feet with a grade to try to camouflage and buffer the pool area, or push the clubhouse back and do the same thing on that green space, instead of having a green space on the west side, have a little bit more on the opposite side, and come up with it.

Alan Bongiovanni: We put a lot of thought into this, worked with the landscape architect, and Jeff Campbell our project architect. They like to have the location of the clubhouse prominent at the entry because there is also a management office in that location. There is screening around, fence screening around the pool area and……

Commissioner Woods: I’m not opposed to where the clubhouse is, I would like to see a little bit of screening and done with earth berms on that entry island.

Alan Bongiovanni: I think we can do that, I think the applicant would be amenable to doing that.

Commissioner Woods: I think that would go a long way, I know there are neighbors here who are not going to be happy with this complex and I think anything we can do to help buffer that, and maybe not use deciduous trees but go to evergreens, that will help it.

Alan Bongiovanni: Not a problem, we can work on that and we would be happy to coordinate that with the Planner.

Attorney Sweeney: If I could just add to respond to your question, if you look at the, an aerial photo of that area, you see exactly what is across the street from the entrance way, and the community building. That is actually the additional land that the Haltner family owned and actually deeded over to the town of
Newington, so there are no actual residences directly across the street. The Haltner Farm actually extended across the street, and there is a piece of wetland over there that is in permanent conservation so, not to take anything away from your request and we will certainly will look at that, but I wanted to let you know, there are no neighbors directly across from the entrance way.

Commissioner Woods: And I am aware of that, Mr. Sweeney. Thank you.

Commissioner Haggerty: Three questions, starting with the easiest one, for Mr. Hesketh, I was running some numbers and I don’t think anything has terribly changed since November when we last met, new cars added per day on Culver Street, is there a number for that, that you can give, or estimate?

Scott Hesketh: The development will generate about 1225 trips on a daily basis, so that is about 630 vehicles entering and exiting.

Commissioner Hagerty: Got it, thank you. The second question, either for Attorney Sweeney or Mr. Campbell, you had mentioned in the opening, that AR Building is a vertically owed company. Can you elaborate on why that is important, or beneficial in this case?

Attorney Sweeney: What I said is that they are vertically integrated, but it is extremely important, I have been doing this work for 20 years and I’ve never come across a company that is sort of structures like they are. Often when you deal with especially large, multi-family developers you will have sort of the development arm of the company and then they will hire a general contractor to build the project, and then they will potentially sub out the management of the project to yet another company or perhaps flip the project to another management company. When I say vertically integrated, everything is within AR’s roof. So, when you hear from Mr. Kampisis or Ms. Mitchell, they are on the development arm of the company, they are the ones that go out, locate sites, work with design professionals, and attorneys to get them permitted, and work with local towns. There is actually a construction division, in AR Building. It’s actually the northeast construction division and it’s in Westerly, Rhode Island and so they are the ones who are actually, they are their own general contractor, they will being in subs to do some of the work on these buildings, but it will be an AR Building Construction project. Then, when it is all said and done, they have a management arm of their company, AR Building Management that will actually staff the leasing office, work with tenants and then maintain the property. Why is that important? Because what they build, what they get developed they have to build, and what they build, they have to maintain, so that, there is an incentive to the developer through the process to actually build the highest quality possible that is going to last the longest. AR doesn’t flip their projects, they hold them in portfolio, so they will own this project tomorrow, a year from now, ten years from now so you know that you have a company, the investment that they are making today, they are investing in the long term,. ‘When they enter a community they are part of the community for the long term. I think they have a reputation for the way that they take care of their property because of that. I think for the Town of Newington that is really important, certainly it has nothing to do with your regulations, but I think it is important to realize that you have someone making a long term investment in the community.

Commissioner Haggerty: Thank you, and the last question, perhaps to Mr. Bongiovanni, were there any other access points to this property that were considered, either to the north, west or south, and if so, what were they and alternately what were the deciding factors to why those were not considered and why ultimately Culver Street was used to access this property?

Alan Bongiovanni: Well, we only have frontage on two streets, and up to legs of the property. To the north, on Deming Street, and to the east on Culver Street. To the north, you have the pond opposite
Cambridge Drive that is almost at the intersection of Deming and Culver and then you have the water course, and it's a fairly steep ravine. It's an environmentally sensitive area that, had we chose to use that location would have caused significant impact to that wetland corridor. That is not something, I know with my experience working with the Conservation Commission that is looked favorably upon. The same token, the same thought as we look on Culver Street, we have frontage, significant frontage from Jean Haltner's house to the south to Cobblestone Court. If you are familiar with the area, the southern end of that site is a significant stand of adult, mature forest that, as you get northerly, is bisected by a ravine and a watercourse. Then we have, where we have preserved the remainder of that forest area. Had we chosen any other location than where we are, we would have had significant impact to an environmentally sensitive area. This is why we chose this location, we don't have control over the Jean Haltner property so that is not something that we could entertain there. Even if we brought the location north of her property there, we don't believe that is, for sight line, because we are at the high point of the road the way we designed it, is as safe as an intersection, and again, it would be closer to the wetland areas of the pond, it would be within the regulated area, and they would have some adverse impact to the environmental sensitive areas.

Commissioner Haggerty: Then Costello Road was not an option either?

Alan Bongiovanni: No, because Costello Road, the street right of way, the land that the town owns abuts our property on the south, the road isn't constructed to there. There is a, the water course that starts on Culver Street and goes southwest toward Costello Road, actually cuts across Costello Road. Had we constructed the road in that location, and accessed from that location, we would have the same detriment to the environment. We would have to culvert, probably put a bridge across and create significant impact to the environmentally sensitive area.

Commissioner Trister: Of the 225 units proposed here, is there any percentage designed as affordable housing?

Alan Bongiovanni: This is a market rate apartment complex. There is no subsidy component to this, there is no restriction for affordable housing. This is market rate apartments. I like to use the word, luxury, because I have looked at some of their other project. They are careful of what they build. They are a larger, more detailed higher quality finished project that is conducive to the young professionals, and not so much the lower end of the market. We believe this is going to be the standard of what all other apartments will be measured in the Town of Newington.

Commissioner Trister: Do you have an idea of what the rent will be, I mean market rate, but do you have a rough idea of what you are going to charge for a two bedroom versus a one bedroom?

Jason Kampisi: You know, one bedroom will probably start about $1500, $1600, $1700, really depends on the market and two bedrooms are higher than that. We're seeing changes in the market so it is really hard to say, but that is generally what we are looking at right now.

Chairman Pane: Are there any other questions from any of the Commissioners? We will go to public participation. Anyone wishing to speak in favor of this application, you are limited to two minutes per person. Anyone wishing to speak in favor of this application?

M. Pane: I'm not for or against this application, I'm just responding to comments made from this Culver Street group since this project started. It seems that the Culver Street group thinks that by removing the TPZ Chairman, they can stop the petition for these apartments. Interesting, because that would be
steering the Commission to get the resolution that they want. The group, led by Igor, I don't know the man, but he seems to think that he can decide what my family can and cannot do in town, and a few of the town regulars who like to make you think they know what is best for all of us. They continue to demonize my family with actually zero facts to back up the accusations, but they like to say inflammatory things to keep the fires burning. There really is no way to respond to these people, it would be pointless. This group also continues to say they will remember when the election times comes around. Well, Dominic Pane did not vote on Igor's proposal, so they must mean maybe Mr. Trister who did vote on it, and may be running for political office. I don't think they thought about that when they wrote their post. Do you really think that our ex-mayor was told how to vote on these petitions? They also made claims of insiders. I don't know what the heck an insider is, but I guess it's a good word just to throw around. Really, with gas prices on the rise, store prices up, and utilities, this is what they spend their time on. Are you also good to have apartments in this town? The false and inflammatory actions effect my right to live peacefully in this town, where I live, my children live, and I have a business, sometimes the trash talkers need to realize this. Unfortunately this trash talk with without merit, and it is escalating. This is not Save Mill Pond, this is not public land. We don't have a right to stop owners from selling their land. Maybe you want something else on this land, that's fair, then you buy it, you insure it, you pay the taxes and what you want on it comes around, you'll be all set. That's it. Thank you.

Chairman Pane: Anyone else wishing to speak in favor: In general? Anybody wish to speak in opposition, limited to three minutes per person.

Jeff Zelek: I don't strongly oppose, first I would like to ask the Commission to keep the public hearing open. Quite a bit of information presented this evening, first time seeing the site plan and first time seeing this application, would like time to review the staff's comments, the traffic study, there were a lot of numbers that were thrown out rapidly, so just need time to digest all of this information. Secondly, I would just like to keep the public hearing open so that we can have time to comment on this. Secondly I would like to understand from the staff, special permitting, kind of interested in that, what was it that triggered this to be a special permit, I think there were potential negative impacts that I need to understand what that was. Thirdly, regarding Costello Road, at the south of the site, I think that is a better alternative than using Culver Street. I know there is a lot of opposition from the residents to use Culver Street, and Costello Road empties right out to the Berlin Turnpike and I think that would resolve a lot of the neighbor's concerns. If anybody says that is an environmentally sensitive area, I'd like to see the report that says that, I would like to ask the Commissioners to go up to the end of Costello Road, because basically it is an environmental disaster. It's already been clearcut, there are a lot trash, I think putting a road through there would be an actual improvement to the area, and I think, fourth, procedurally for the Zoning Commission, I notice that Mr. Braverman was kind of stopped from commenting, I believe even though he wasn't seated by the Chairman, as an alternate he is allowed to participate and perhaps Attorney William Sweeny can weight in and give us some guidance on that. Those are my comments on that. Thank you.

Mr. Rosenkrantz: I'd like to start by letting you know that it is Dr. Rosenkrantz, not Mr. Rosenkrantz, I've been a resident for 45 years serving the community, taking care of the children of the community and the state, and I think that I have earned that respect. Having lived in this immediate area for 45 years, let me back up, I understand that nothing stays static. On the other hand, having four story apartment buildings is not consistent with the building in this area. There is already, and I don't know how it did make it on to the conversations that have taken place, but we already have the emptying of Lowe's, part of Lowe's development and Wal-Mart there which is a traffic disaster. I sit on the State's Fatality Case Review Committee, looking at childhood deaths, every month. This is a disaster area. I speak with authority. I say, things change, apartments may go up, certainly the Cambridge Apartments and that whole complex...
have been there a long time, they are good neighbors, but when I saw, the renditions that I saw tonight, do not fit into this area. The last question I have, and I would hope someone could answer for me, is that from what I can see on my computer, this rectangle for Jean Haltner, what is going to happen to that property when she passes. Is that going to be more apartments? Thank you.

Jennie Groom, 41 Cambridge Drive: First I want to say that, don't appreciate being told that I am an opposition group. Not everyone who opposes this is part of the group. Not all neighbors want things to stay the same. That's not true. I spoke up really early on and said do this development but keep this residential, but that didn't happen. My concern is, we have the other development up at Griswold and Deming that is also going to be taxing us. Were those number tied into the traffic study, and at no point have I heard anything about the fact that this entrance to this development is slightly off to one of the high use entrances to Cambridge Arms. If they were directly lined up, maybe we could have a four way stop sign that made it safe, but by having them not quite directly aligned, it's going to be a traffic nightmare where people are trying to get out of Cambridge Arms and trying to get out of this development, and it's going to be worse than what is over at Webster and that strange three way stop. I oppose this coming out onto Culver, that's is what I oppose, that is the only thing that I oppose is that there is going to be air pollution, noise pollution, that's a high number of traffic increase and that impact is really big and the fact that the entrances are not quite the entrance to Cambridge Drive. That's it, the other thing I will just quickly say is, they better watch their pool, because I can speak from Cambridge Drive, people from all over the town will come by and try to use your pool, so please watch that because that will increase traffic more than you think.

Anthony Yoder, 54 Shady Hill Lane: I'm speaking on behalf of my wife, myself and my four children. I came to this area just because of the residential quality of life that Newington offers. I would like to offer the comment that I am not in opposition to anything, I'm not the opposition group, I'm not here to make trouble, I'm just exercising my right to state my opinion as a resident of the affected area. We've heard a lot that the land owners and the developers have the right to do what they want with their property. Nobody is disputing that, we also have the right to maintain the quality of life that we elected by coming to live in this area and I've heard a lot about, the plan sounds great, and we've heard a lot about it but we really haven't heard a lot about the effect it will have on the residents of the surrounding area. When the first zoning change to PD was proposed and then approved, we heard, just a zoning change We will take all of this into consideration later. The next time we heard that Mr. Bongiovanni is a private citizen who is proposing the change to allow the interest to come to Culver Road and Mr. Sweeney said, this has nothing to do with the proposed development, this is just him as a concerned citizen making sure that everything is equitable across the town, and of course, the minute it was approved the site plan comes up and here we are, voting for it. I'd like to echo many of the concerns that we just heard. The traffic number will go up, that concerns me, walking children across that road, it's nice to hear that there will be a cross walk at the entrance, which gets you across the street, but I fear that he will increase pedestrian traffic trying to get to the shopping center and there is no where for them to go. The traffic along this road is bad, people speed, we've heard that is an issue for the police, and the measure quantitative load of the road, it allows, the road can handle it, sure. That does not mean that it should. The intersection of Webster is already a disaster, the intersection at Deming and Culver is also a disaster, and shoving more cars into this and as Dr. Rosenkrantz said, that intersection at Lowe's, Staples and Wal-Mart is already a mess and is an accident constantly waiting to happen. So if I had a choice to develop this property, absolutely not, but that is not my choice and that is not what we are disputing. What we are saying is we have the right to maintain a quality of life. There are other alternatives, they may not be as cheap, they may not be as attractive to the developer, we don't oppose them using the land the way that they want to, but what we want is to maintain the quality of life that we have elected. I stand in opposition to the site
plan as stated, but with modifications to address the concerns of the surrounding residents I think we could find an equitable compromise. Thank you for your time.

Elena Kurina: Good evening, I oppose the plan as it is, and I hope that you had a chance to see my petition that I started that has 254 signatures as of now. Look at the plan, it's nice, it's a nice plan, it's a good size, but I wish it was in a different area. Look what it is, you, surrounding this nice luxury apartments with a green buffer, and you exposed quite a dense area of Cambridge Arms apartments and the court yard apartments higher on the hill to all the noise and traffic of 1,200 cars in addition to existing ones. I live in front of this entrance that you are going to be having on Culver Street and I am here to testify, every single Amazon truck, garbage truck, delivery truck, moving truck, every residence truck, cars, are going to brake and accelerate to enter and exit our area. I will breathe this air, and if I move away then everyone who can afford luxury, at $2000 per unit is going to experience the same. The cars will go by every single house on Culver Street, Colby Road, Deming Street, and you are fine with it, because you surrounded yourself with a green buffer and all of us are going to pay the price for your profits. So you and the Town Planner knew about it, and it is so disappointing to me, Please, do what is right, change the grid to isolate this complex from our area, and put entrance on a different side of the road. That's it for now, you are going to hear us, members of TPZ Commission, thank you. I am feeling very emotional because I can't imagine how you can vote for, yes, if you will it will just eliminate all of the good that you did for all of these years for this town, one bad decision. Look at what you are doing with one bad decision. Please don't allow this in our town. That's all.

Catherine Karl, 54 Cobblestone Court: I agree with what the other residents have said, and now the Town Planner has said there are no sidewalks on the side of the proposed development, but I have a question about what is the town planning to do about the fact that there is no sidewalk whatsoever between Rockledge Drive and Apple Hill. Currently when people walk, they walk in the street. With 1,000 additional cars going on that street, I'm concerned about people's safety. Thank you.

Igor Bochenkov, 20 Cobblestone Court: For the record, the applicant's presentation went 45 minutes, and that is against all of the procedures, that is number one. We want a postponement of this public hearing on Petition 07-22 and 08-22 at this time. The reason for zone change for this property was incomplete and it did not contain names and addresses for all property owners within 500 feet and therefore zone change application could not be approved. Despite Town Planner opinion, zoning regulations Section 7.5.2.E is still in effect. This regulation requires any application for zone change to get accompanied by a map of the subject property and all properties within 500 feet, and names and addresses of all property owners within 500 feet. In the future, it might be subject to another text amendment offered by the developer and put forth by Alan Bongiovanni, but that will not happen yet. Without the zone change approval, this development does not exist and we all know that. Speaking of text amendments, the site plan showing entrance and exit on Culver Street, Sections 19.2.B.1 of the zoning regulations used to state that no application should be approved unless it has direct access to the Berlin Turnpike or a street directly connected to the Berlin Turnpike. This was the language before Alan Bongiovanni, a paid consultant to the applicant decided to apply for its removal. For many years of his life, Alan Bongiovanni did not know or did not care about this specific rule. Until a developer out of Pennsylvania shows up and hired Alan to be consultant. Suddenly, Alan Bongiovanni realized there is a error, to make the change for the benefit of mankind, l'm sure, and he of course as well. Talk about conflict of interest and unethical violations.

We request postponement of this public hearing because the recent site plan permit issued by the Conservation Commission was issued with numerous violations. The Commission had admitted to these violations and scheduled a new hearing. This public hearing should be postponed until a new hearing by the Conservation Commission takes place and if a new permit is issued.
We also request postponement of this public hearing since there has been no indication from the Town Planner, Wetland Agent, and Town Engineer that the revised site plan, submitted with the application is essentially the same as the site plan submitted back in the fall of 2021 to the Conservation Commission and then withdrawn. We all know the Town Planner's office reviewed such regional site plans and issued nine pages of comment. We request that this revised and refiled site plan submitted for Conservation Commission review to make sure they comply with all applicable regulations before proceeding with the hearing on a special permit. Before this Commission acts on this special permit, we request that the hearing be postponed until a hearing before the Conservation Commission takes place, and if a new permit is issued. Thank you so much.

David Horrigan, 30 Candlewyck Drive: First, thank you all for your service to the town. Approval of this proposal will bring to over 1000 the number of new apartment units to be built in Newington. Since no one from town government or the developers of any of these projects have presented any financial analysis, I believe that any perceived increase in tax revenue will be greatly diminished by the cost of town services to support the more than 1000 new families that will use our infrastructure, increase the number of students in our schools. We will look back in a few years and wonder how we will pay for multi-million dollar additions to our schools or to widen our road. The next concern is that this particular development has no provisions for affordable housing. Newington has not yet the state requirements that ten percent of all housing stock in town be affordable housing as described in Connecticut General Statute 8-30 as amended by Public Act 21-29. Interestingly, Public Act 21-29 was actually referenced in favor of this application by Attorney Sweeney a few minutes ago. All Connecticut towns are required to submit to the State the current status and future plan to meet the ten percent requirement for affordable housing, no later than June of this year. That is only three months away. The proposal we have before us tonight calls for 225 luxury units, none of which will meet the affordable housing standard established by the State. This development will simply move the goal posts further away and make reaching the statutory requirement of ten percent more challenging, perhaps even impossible. For these reasons, I feel that this body has no logical choice but to deny this application. Lastly, since we have witnessed a lengthy presentation from the developer, adversely at no time did I understand what has been proposed. I feel strongly that the public hearing on this matter must be kept open, to not do so would be a great disservice to all of the residents of Newington. Thank you for your time.

Bob Tallard, Newington: I have some questions for you guys. I did some research and Keith Lenhart is the owner of AR Building and they make about 6.6 million a year, out of Erwin Pennsylvania. Now why would somebody from Erwin Pennsylvania care about the little town of Newington? Well, obviously they influenced somebody to be able to get this special permit that I'm looking, because I have an article here from the Hartford Courant, Tuesday, November 30th, 2021 and when they did the traffic, according to some of the people who oppose it, Frank Zucco and David Horrigan, who were mentioned in this article so I can mention their names, but they mentioned that the traffic was done during when schools were closed and there was a pandemic. I live in Newington and I have to drive around town, because I don't want to drive on the Berlin Turnpike. I have lived in Newington for 65 years and I don't want to drive on the Berlin Turnpike, so like I said, I did some research and, by the way, when I called Keith Lenhart, he didn't want to talk to me which I thought was insulting, but putting that aside, in my research, the state says that we have about 50,000 cars per day on the Berlin Turnpike and in twenty years, without any other buildings, being built, just the average traffic volume, we're talking about 30 percent more traffic, and I'm glad I don't have any kids in Newington because people drive crazy on the Berlin Turnpike. It is, it's like Connecticut Dragway. It's dangerous, and I'm glad I don't have any kids because I feel sorry for people who live directly in that area, Cambridge Drive and so forth, the traffic around Lowe's and Wal-Mart and that area is an absolute nightmare. For any good conscience for you guys on the town Planning and Zoning Commission to let this go through is ridiculous because the town is turning into Hartford. This
is absolutely crazy, and with the special permit, yeah, I'd like to get a special permit to build a five story building in the Town of Newington, wonder what I would have to do to get that done. Putting that aside, with the recklessness of even proposing this and changing the zoning in the Town of Newington and, was it Jason Kampisi, are you there, I guess he is not there, well, as far as the town Planning and Zoning, okay.....

Chairman Pane: We don’t do back and forth questions. You can ask questions, they will be answered after all of the public comments.

Bob Tallard: Okay, well because of all the people that came forward, I'm not part of any group or anything, to oppose it, just reading this article and following you guys on Planning and Zoning, I'm wondering what you guys are up to? What are you trying to do to the Town of Newington, ruin it? I've lived in this town, like I said, for 65 years, and it is getting really crazy and dangerous to drive in the town. Like I said, I drive around town to get to Wal-Mart, I don't drive on the Berlin Turnpike. I'm wondering if you guys actually did this, and right now, if this goes through, I think that everybody on the town Planning and Zoning Commission should resign effective immediately. On top of that, this AR Building, it's really, this is pretty sick this whole situation. They don't care about us, they don't care about the environment, they don't care about traffic, if your kid gets run over on the Berlin Turnpike because of this, because it is going to increase traffic a lot, so that is all I have to say.

Michelle Griffith, 283 Culver Street: I'm speaking tonight in strong opposition to the proposed Culver Street apartments. I've spoken several times already, I know this Commission believes that this is the right development for this parcel of land, but I'm going to say, you are wrong. You are making a big mistake. Listen to the resident, for once, listen to us. We live here, I have lived on Culver Street for 38 years, this development does not fit in with the aesthetics of our established neighborhood. Yes, we have single family homes, but we have condominium complexes, and we have apartments, all on this street, Cobblestone, Apple Hill, Cambridge Apartments. A four story building, five four story buildings, does not preserve the integrity of our neighborhood. And I'm not talking about Public Act 21-29, I'm talking about people who live here, from what we believe is right for our neighborhood. These building, and I still believe that these, for whatever was said today, I still believe that these buildings will stick out like a sore thumb for at least seven months, at least. I believe that you do not have the right to drastically change the appearance of our neighborhood. Yes, development is inevitable but the right development will preserve and enhance our town on what we want Newington to look like in the future, and yes, I do think about the future. An entrance and exit on Culver Street when there are other options, the Berlin Turnpike, I truly question the developer, the attorney who talked about their concerns about the environmental impact, I don't know, I think it is the personal, financial impact that is their concern. I question their concern about environment when questioned about different options for entrances and exits. I simply cannot fathom what an impact this will have on this street. The apartments the developer said will only generate 1,225 extra trips with minimal impact, their traffic expert says that this is acceptable. Really, I say, and we say, this neighborhood, this is outrageous. Culver Street is not a major thoroughfare but a residential street. This will have a major impact. There are 1000 apartments now being proposed and built in Newington. This development on Culver Street of 225 apartment is not needed or appropriate for this area. All of these decisions are to the advantage of these developers, who are out of state. Way out of state. I am certain it is to save them money and maximize their profits, with no regard to our Newington residents. The people who live here, our concerns have been met with deaf ears. No concessions, no care about what we feel. Stop this development, it's a mistake. Thank you.
David Griffith, 283 Culver Street: I speak in opposition to this application and in particular you have been charged as a commission to review this application with certain standards in mind, and there is one standard that is not something that you should consider and that is maximizing the profits of this developer. So let's go to the standards that have not been addressed, and have not been shown with substantial evidence for this Commission to review. One is, there has been now showing, much less any substantial evidence of the proposed need for these four story buildings. As a matter of fact, there has been no acknowledgement and totally ignoring the fact that there have been hundreds of apartments recently approved by the Commission. So where is the need? Secondly, there has been no substantial evidence of safe guards to protect the adjacent property and the neighborhood. There has been, and I give full credit to a Commissioner tonight who did raise the possibility of at least a safeguard, but that come from the Commissioner, nothing from the applicant in terms of safe guards. So I ask the Commission to deny this application and I also would ask the Commission to keep this hearing open so you can fully hear all of the concerns of the neighbor in opposition to this. Thank you.

Matt Rossi, 17 Franklin Circle: I'm going to try to keep this short, your time is valuable, I understand that. The concerns that I have are Costello Road should be re-examined again, for an exit and entrance, with a secondary exit for emergency services only maybe on Culver Street, two clearly different exits and entrances to get in in case there is an emergency. I say Costello Road, after learning that there will be a new intersection light placed at the new 3333 which could aid in the people exiting this development onto the Berlin Turnpike and being able to go back in the opposite direction. I also am wondering why AR has chosen four, is it one of these, oh, we can build four, so we're going to build four to make as much money as we can, which fine, you can make money, but you can also make money if you build something at three stories like your Chatham Commons, your Mansfield apartments and New London, as well as the Birchway at Chattanooga. I am concerned with the height, the volume and you would be able to save money with fewer building needs, they will be shorter buildings, so fewer lumber, metal, conduits, whatever. You would also have fewer parking spots, less asphalt to pay for, develop what most of your places offer and I do see that if you were to go down to a three story building, which would fit in the area that is currently here, you have things that you have not had at other facilities, and I think would be great selling points for this facility, again, my concern is the mature trees that are lost by accident, during construction, and the trees that are being planted to help with the buffer. How long are those trees going to take to buffer a four story building? Those are concerns that I have, along with we are on Rockledge and when the blasting starts happening we don't know what these houses that have been sitting here since the '60's are going to have happen. We don't know what is going to happen to then, and then to try to fight with the insurance company to say, this was because of the blasting, we know is probably going to be a lose-lose situation for most of us. So because of this, I am requesting that the plan, as presented are rejected. I also have a concern about the property, and this is a question that if the current Haltner that is being occupied, if purchased by AR and is added to their current property ownership, under contract ownership, what can be built if that piece is added to the current plan. Thank you very much for your time and have a good night.

Chairman Pane: Anyone else from the public wishing to speak in opposition?

Unknown: I have lived in town for 40 years, I grew up here, many of you on the board know me, I went to school with you, and most of you guys know we as a straight shooter, and I'd like to get to the bottom of this mess. As you know, then I stick up for people who can't stick up for themselves. I'm not going to tell you how to vote, how to think, you do what you think is right for the town, what is right in your heart, and I'll always stick up for you. We may disagree, we may agree, but no one has the right to personally attack any of you or make false innuendos. I found the presentation at the last meeting and the attacks by Mr. Bochenkov to volunteer members and hard working be appalling. Now tonight he's talking about Alan.
You are all doing a great job, keep it up, I’ve been at many meetings, and many committees in different towns, and the presentation at the last meeting was the most (inaudible) I’ve ever seen. In regards to this, I don’t understand how one person or small group can try to demand to make other properties non-conforming. The items have no connection with each other, the World Bank, the present members, previous members, and the present staff. I’m as opposed to this development as anyone else, but people do have the right to develop their property and Mr. Bochenkov and his group has the right to buy the property, they can then do whatever they want, but they don’t have the right to promote conspiracy and degrade people on this committee if they don’t get their way. I found this so out of the bounds of civil debate and discourse. They made up stories about committee members, they tried to bully them, this gentleman has used fear tactics to create stories about other committee members and he is saying he has inside knowledge. They are living personally in a make believe world. He is really a hater. It is one thing to be passionate about something, or debate things on their merit, it’s another thing just to make up tainted characterizations, and this has marginalized this whole movement. They are acting like fifth grade bullies. They should really be embarrassed and to those that support them, they should continue to review. In closing, keep doing what you are doing, thank you for all your hard work, and God bless.

Chairman Pane: Anyone else wishing to speak from the public?

Renata Bertotti: If no one raises their hand, I will just remind you and Ms. Eleana Kuria referred to the petition that she had posted online. That petition was e-mailed over to me and I forwarded it to the Commission. If all of the Commissioners read the text of that petition, I don’t have to read it into the record. If you haven’t, then I will read it into the record. Just let me know. I also want to say, that this petition is different than the petition for the zoning regulation amendment or zoning map amendment. It doesn’t require any kind of different vote. There is no provision under statutes to process petitions for the Commission, so in that sense, what this document is, is essentially a letter on a position that had been signed by a number of people, when I checked today at 2:12 p.m. it was 252 people or 252 e-mail accounts that signed on it. So whether that is actual people or not I don’t know.

Chairman Pane: Could you please read that into the record?

Renata Bertotti: “Newington TPZ say no to only entrance/exit onto Culver Street. Say no to new 1120 cars a day. The proposed Culver Street Apartments for 225 units and 445 parking spaces will general only “1,225 new trips a day.” TPZ Commission, protect our neighborhood. Don’t allow new 1200 car trips in our neighborhood for this would be an irreversible negative change. The request from AR Building Company, to change the access, alternatively AR Building can do a bridge from Deming Street or Costello Road over the existing right of the property line or cut a deal with Lowe’s. If the entrance/exit were on Culver Street the constant new traffic would be a nightmare for Cambridge Arms and the condos. It will generate constant noise/air pollution from residential and service vehicles arriving and leaving the new apartments. The traffic will then flow onto Deming Street and Colbe Road. The developers have presented and even spelled the idea of scheduling a public bus on Culver Street to service the apartments. Members, imagine your life with a public bus stop stopping in front of your bedroom. This is the link to the petition and new signatures are still coming, and then there is a link to the petition.

Chairman Pane: Thank you Renata. At this time we are going to go to the applicant, they have the floor if they would like to answer any of the comments from the public.

Alan Bongiovanni: A couple of statements, one was repeated a couple of times about the number of cars and 1000 cars a day or something like that on the road. So, in Scott’s report, and Scott Hesketh’s presentation, we talked about peak trips, a.m. and p.m. leaving our site, and we are looking at a total of I
think it was 81 A.M. and 90 something cars p.m. That aggregate number of cars of 1000 cars is over a 24 hour period. So, it's not an influx of a massive amount of cars at any one point during the day, it's distributed throughout the day just like all the background traffic is distributed through the day. The, Mr. Rossi talked about blasting. We have done the significant surface exploration of the site with deep borings and we found no evidence of bedrock anywhere on the site, to any depth even close to where we are going to be excavating or developing so blasting should not be any issue at all. Thanks.

Attorney Sweeney: Mr. Chairman, I'll try to be brief in my remarks and will answer the pertinent questions that were asked. Mr. Zelek had a couple of questions, one he asked for my guidance on your alternate's participating, and it would be improper for me to give any legal advice but I would say I would certainly object to any alternate who is not sitting for an application and involved in debate of an application. That is clearly not permitted by state statute. In terms of how you allow alternates to participate beyond that I think your town attorney would give guidance.

Dr. Rosenkrantz spoke briefly, I want to thank Dr. Rosenkrantz for his service as a medical doctor, but I would note that a medical doctor is not the equivalent of a traffic engineer here in the State of Connecticut. Dr. Rosenkrantz is not qualified to give expert testimony on traffic, just as Mr. Hesketh is not qualified to give expert testimony on medical issues. I think that is important to note.

In terms of Jean Haltner’s property, it is not under contract, it is not for sale. I don’t represent Ms. Haltner, my understanding, talking to her attorney, as she is a part owner of the property that is in question tonight, there are no plans for that property at this time and no plans to put it on the market. It would be inappropriate to speculate on future uses.

Ms. Groom addressed the Commission, she asked whether the entrances could be moved, be across either from Cambridge Estates or Cambridge Drive. The entrance can’t be moved across from Cambridge Drive as you can see of the plan before you as being projected. There is a pond directly across the street from Cambridge Drive. More importantly the entrance to Cambridge Estates is in front of Ms. Haltner’s house which we and it is located directly across the land that the Haltner family deeded to the town for conservation. We think it is an appropriate location. The driveway maximizes sight lines as indicated by the testimony by Mr. Hesketh.

There was a comment about the pool, I just wanted to assure the Commission that by state law the pool has to be fenced and AR uses a key code on all of the gates in the pool area, so the issue of unauthorized access should be mitigated.

I do want, Mr. Yoder made a statement that was factually incorrect and I think it is necessary to correct it for the record. At no time, did I represent ever, in front of this Commission did I represent Mr. Bongiovanni as a concerned citizen of the town, certainly not the relationship I have with Mr. Bongiovanni and I believe that the minutes and the record of that hearing will support my claim. Ms. Kierian submitted a petition, that is her legal right again, it's one of the great things about living in America, we can petition our grievances, but as your Planner indicated, it has no legal standing. It is not a protest petition, that you would find for a zone change but certainly is absolutely something that you should include in the records of tonight’s hearing. I would also like to note that she said she liked the project, but not in that neighborhood, and I really don’t have a response to that comment.

There was some comment from Mr. Bochenkov, he has a number of procedure complaints about other applications and their processing, and as the Commissioners know, you have no authority to communicate, on total procedural issues on prior applications or applications particularly held and presented to other Commissions. So various remedies available in the general statutes for those types of concerns. Certainly it does not belong in the jurisdiction of this Commission to address those. I would echo the comments of the last speaker that personal attacks on Mr. Bongiovanni are completely inappropriate and should not be entertained by the Commission.

Moving on, Mr. Horrigan made some comments, one was concerned for multi-family housing and school age children. At the beginning of this hearing your Planner properly indicated that these types of matters
are not to be considered by the Commission, they are not allowed by state statute, they certainly are not
allowed by your regulations, but I would note, just for the record that based on just a quick review tonight
your school age population here in Newington has decreased over the last several years, not increased. I
would actually agree with Mr. Horrigan though that affordable housing is an important issue. It is certainly
an issue that all town in this state need to address, as an issue that is very important to me personally.
Your Plan and Conservation and Development is clear that the demand for housing has to be met with a
diversity of housing options, and that means housing at all different socio-economic scales and in all
different configurations. There is a particularly import in having them in rental apartments. I think this
project certainly meets that.
Mr. Tallard, I have a number of comments, just for the record I had a number of comments, Mr. Keith
Lenhard is the CFO, not the owner of AR Building company, that would be like calling a company and
trying to talk to the bookkeeper, so I have no doubt that Mr. Lenard did not take his call because it would
be inappropriate to do so. AR Building has developing all over the country and all over New England and
all over Connecticut. Certainly whether our headquarters are in Pittsburgh, or in New Haven, or in
Newington, Connecticut, this Commission has to review and treat any applicant with the same level of
fairness in their deliberations.
There was a final question by Mr Tallard of what AR Building is trying to do in town, and I will tell you what
we are trying to do, AR Building is trying to build a beautiful, desirable development. An apartment
building that will meet the needs of your residents, both current and future ones who want to live here,
want to stay here, they want to work here, they want to recreate here, they want to be part of your
community, and they want to pay taxes at the end of the day. So I think that is a worthy thing and we
would be contributing something positive to your community.
Ms. Griffith expressed our choice of access points and suggested that there are different accesses that
are available. I think Mr. Bongiovanni did a very good job in his presentation and responding to the
Commission questions that there really are no prudent and feasible alternatives to access other than
Culver Street. For those of you who may have served on the Wetlands Commission or are familiar with
the Wetlands Commission, here in the State of Connecticut you cannot significantly impact wetlands
when there are prudent and feasible alternatives that exist to eliminate those disturbances. Access from
Deming Street or from Costello Road would through wetland areas. There is testimony in the record on
that point, the Inland Wetlands Regulation statutes here in the State of Connecticut require applicants and
property owners to pursue prudent and feasible alternatives to direct wetlands impact. We have no direct
wetland impact as a result of this project. Something we are very proud of, it's an environmentally friendly
project, we stayed away from those resource areas, protected them and are putting them into permanent
conservation, and I just don’t think that either of those options are viable or environmentally sound
options.
Mr. Griffith suggested that we were trying to maximize profits with this project, and you heard testimony
earlier tonight that the density calculations for this property allow up to 700 plus units, we're proposing
less than one third of that. I don't think that in any way reflects an attempt to maximize profits on this site.
In the need for apartments is demonstrated in your constitutional document, the document that should
guide all of your decision making and that is your Plan of Conservation and Development. You have a
whole section on housing, the desperate need in Newington for new housing, particularly for the changing
family demographics that are taking place here in town and the region and nationally. The need for
young people to have units to move into, for older people to retire to, and for people who are coming and
going and not building single family homes and residing with 2.5 children with a white picket fence. This
is the future and this is the demographics of our country and certainly apartments are needed. I don't
think there is any question whatsoever and the evidence is in your Plan of Conservation and
Development.
We certainly have tried to provide safeguards throughout the project, I think if you look at the site plan
before you, you can see that we tried to build our project in the center of this site, shifting it as far west as
possible, avoiding sensitive wetland areas and preserving established vegetation. Those dark green areas on the site are mature forests with trees that are 70, 80, 90 feet tall. Taller than the buildings we are building, and we designed this in a way so that really the only thing that is visible is our entrance and everything else is tucked behind the Haltner’s property which is also buffered, or behind those forested areas in the southeast area of the site. So that is the primary safeguard that we have used for this project.

Mr. Rossi asked whether we could build smaller buildings, I would suggest that we can’t. There is an economic reality to building a project like this. Three story buildings are less units, but more importantly, your PD Zone allows you to build four. You had made a decision in your regulations by allowing four story residential buildings that are suitable and acceptable in this zone. We are certainly taking advantage of the regulations as they are written.

In closing tonight, I just want to thank all of you. I know that I have appeared before you many times, I know that we have had, at times, some contentious public hearing, I hope that I didn’t lose my temper at any time, but I really appreciate the courtesy that you have shown myself, my client, the design professionals involved in this project. We are very excited about the project, we think this is going to be a true asset to the community. We hope to invite you and all of the neighbors to the grand opening of the project in the next couple of years, once we are fully approved.

As to whether you should keep this hearing open or not, I certainly think you have all the information you need to make the decision, but ultimately that is your decision, and you have consistently shown me that you make those decisions on your own, so if you wish to keep the hearing open, that is your prerogative, if you wish to close it, I think you certainly have enough information in the records for this important decision to approve this project. Thank you again for your time tonight.

Chairman Pane: Thank you. At this time the public has the last opportunity, so I’ll open it up to the public.

Elena Kuria: I would like to ask to show the map that was shown at the beginning of the meeting where a building is drawn, you can see a building on that map, 41 Cambridge Drive, across from the entrance. This is a building where I live. I don’t know if Mr. Attorney has even been to this area, but I don’t understand how he is telling me that it is open land across the street. It is my building across from the entrance to Culver Street and it is my swimming pool, my recreational area, and I would like you to show the first map where you can see the building. There are two more Cambridge Drive buildings along the Culver Street which are not shown on this map, and I would like to tell Mr. Attorney that I am here, and I can see that entrance from my doorstep. Thank you.

Jeff Zelek: Just in response to the potential environmental impact, using Costello Road, recently Farmington, they replaced a bridge, it was a major project and it was a bridge going across the Farmington River, and there was a large Indian campsite there, all kinds of archeological findings, but they still went forward with the project. This little tiny brook we are talking about on Costello Road, I’m really going to ask the Commissioners to go out there and do a site walk and see for themselves what the situation is like at the end of Costello Road, and how it meets the property that is part of the site plan. I’m going to tell you, you are going to be very disgusted by the condition of the environment out there, and also when it comes to feasible and prudent alternatives, public safety will trump the environment every time, so if public safety, going out onto Culver Street is the issue, then you know, the Wetlands Commission has to look the other way for a fair and feasible, prudent solution, which would be to use Costello Road. You really can’t discuss this as far as the environmental impact without a study being done. Again, if the Commissioners would please go out there and take a look at that site, they can see for themselves the condition of that area. Thanks.
Michelle Griffith: I believe it was mentioned that the alternative possibilities for the entrance way and exists were not feasible, for example Costello Road because of environmental issues, but I do want to make a comment about, what about the impact on us? On our safety, and our standard of living, which again as the other person just mentioned, I think is more important. Thank you very much.

Igor Bochenkov, 40 Cobblestone: At this time I would like the Town Planner to address the comments made in relation to the special permit and its guidelines and how it affects this development and what kind of impact this specific development would have as if we made a special permit application needed. Thank you.

Dr. Rosenkrantz: I guess, I have been thinking about the Attorney's comments about what I have experienced, and remotely I may be an expert without him knowing my credentials. Besides being an immunologist and/or scientist, I do have great expertise in child safety and child death and if you would do your research you would realize that as opposed to just trying to dismiss me, as well as many of the other members of the community here. Thank you.

Jennie Groom: I want to re-address just what Elena had said, about the map and showing what we had, the entrance that I am talking about, I am looking at a number of different maps and I am talking about, not the main entrance to Cambridge Arms but the driveway that goes straight out to Culver. That will be very close to their entrance. It's going to be a problem. It’s not up the road where the pond is and everything, I'm talking about right where our building is, just like the map is showing and was posted, please keep the hearing open because this new site plan, right now I thought it was just about the entrance and egress, I did not realize that the whole site plan was going to be presented, and we need more time to look at the law, the changes in the law, that have come about, and you need to look at the neighbors, coming in and out, looking at some of these crazy intersections that we already have. The traffic level is too high and it is just not safe. Quality of life, you can say what you want about what you are legally required to do, but honestly there are ethical requirements to your residence. Thats all.

Chairman Pane: I believe that's it if there is no other public that would like to speak. We'll go to the Commissioners. I think all of the information has been presented to us. I'll ask the Commissioners if they have any final questions. Are there any questions from the Commissioners for staff.

Commissioner Drozd: Was any consideration by the developer given toward this being a three story instead of a four story, thought process being, understanding that four story is legal under statute, but at four stories it is taller than everything around it, whether it is the Lowe's, the multi-family dwelling across the street, the house that is going to be right next door, and it would appear that the reduction in that would then quell some of the concerns, whether it be volume, traffic, a whole series of things. Was any concern given to that?

Attorney Sweeney: I think the primary concern is the footprint of disturbance. If you go down to three stories you are going to have to put up at least another building to get the same unit count, and in doing so, you are going to disturb more property. If you look at our site plan, we are using the areas that are outside of the one hundred foot upland area review area of the wetlands and a different design building that is shorter would extend and sprawl the development footprint. The District allows four stories and with four stories we are able to get the units that we need to make the project work and we are able to reduce our development footprint and when we do that, it decreases the imperious area, it decreases the amount of the area that is sort of gobbled up by the development itself, and we can fit in on the property without impacting any wetlands or sensitive environmental areas or even in many cases, getting within
the buffers of those areas. So from an environmental standpoint, going up is certainly better than going out.

Commissioner Woods: I would like to see if we can get the applicant to address those last couple of questions from the public on the alignment of the driveway, the new driveway for this development, and really just because of traffic, I want to know that it was taken into consideration with the traffic count. That is really want to try to get out.

Chairman Pane: Okay, let me check with Renata, because when you go back to the applicant, you may have to open it up again to the public.

Renata Bertotti: Mr. Chair, did you close the public hearing?

Chairman Pane: No, the public hearing isn't closed, but we have gone through all of the steps for rebuttal and opposition and everything, but we haven't closed it.

Renata Bertotti: So those procedures I think under your rules, you do have the ability, when the public hearing is open, please ask all the questions that you have to make a decision. As long as the hearing is open you can get the information.

Attorney Sweeney: What I would like to do, if Mr. Hesketh could answer the question of whether the location of the driveways and where they are located creates any safety concerns with other driveways on Culver Street. Is that something that you review in your analysis?

Scott Hesketh: Yes, we are aware of the fact that the main site driveway to this development is located slightly south of and offset from the driveway to the existing apartment complex. If you look at the level of service calculations you will see that we have an exceptional level of service with very minimal delays. We did calculate traffic flows into and out of that development across the street, so we did analyze that intersection, and we have a good level of service with very minimal delays. Obviously the driveways are in close proximity to each other, vehicles in each of the driveways will have to see and be aware of the people on the other side of the street, as they would if they were aligned opposite one another. We anticipate that most of the traffic into and out of our site will be left hand turns, into and out, and most of the traffic from the other development will be right hand turns into and out, so there would be very low volume of traffic crossing into each other, or the potential of crossing into each other, but the levels of service and minimal delays and the volumes of left turning traffic out of that development, we believe that it can be done safely. Yes, we have reviewed it, and it is included in the write up revised as of February 8th, so it has been reviewed, looked at and submitted to the town staff, and this is the first that anyone is bringing up as an area of concern. Thank you.

Commissioner Drozd: Can I make a motion to close the public hearing of the petition?

Renata Bertotti: Excuse me for interrupting, but I would strongly against closing the public hearing until you have all your answers, all questions answered.

Chairman Pane: Commissioners, do you have any further questions? Do you feel comfortable closing the public hearing? Have all of your questions been answered? It appears that no one has any problem closing the public hearing. We have a motion, do we have a second.
Commissioner Havens seconded the motion.

Chairman Pane: Just before we close the public hearing, I'm going to go right down the line, Commissioner Haggerty, do you have any questions?

Commissioner Haggerty: A procedural question Mr. Chair. If the public hearing is closed regarding this development, how does that affect our ability as a Commission to deliberate the site plan.

Chairman Pane: We can deliberate the site plan. The site plan isn't part of the public hearing, and as long as we are not, or asking for any new information, but the site plan is not part of the special exception. The site plan was discussed with the special exception, but only for convenience, but when we deliberate on the site plan, the public generally doesn't have comments.

Commissioner Haggerty: Thank you. I am comfortable closing the public hearing then.

Chairman Pane: Commissioner Woods, do you have any additional information that you need?

Commissioner Woods: I don't have any, and I realize that we will have the opportunity to ask questions of the applicant on the site plan.

Commissioner Gill: I'm fine with closing it.

Commissioner Havens: I'm comfortable with closing it.

Commissioner Trister: I'm also comfortable with closing it.

After a roll call vote for closing the public hearing, Petition 07-22, the motion passed unanimously with seven voting YEA.

D. Petition 12-22: Special Permit (Sec. 6.8) for an open space subdivision at 359 Church Street and 321 Tremont Street (Rear) Applicant and Owner: AA Denorfia Bldg. and Dev., LLC. Contact, Alan Bongiovanni

Alan Bongiovanni: Thank you Mr. Chairman, for the record, my name is Alan Bongiovanni, I'm a licensed land surveyor in the State of Connecticut with an office address of 170 Pane Road, Newington. I'm representing A. Denorfia Bldg and Development Company in the application before you. The plan that I have in front of you is an overall site plan, subdivision plan. The subject property is 15.97 acres, it fronts on Church Street, it's on the west side of Church Street. To the south are single family residential homes, with Allston Road with a cul-de-sac stubbed into the property, and Rock Hole Lane that terminates in a dead end at the property line. To the west we have what was the Red Rock development, the Tremont Street development and then to the north is the southside of the houses that are on Edwards Street, so there is rear land there that encompasses a good section of the Rock Hole Brook. Rock Hole Brook, the watershed starts well east of this site, the brook flows from east to west through portions of the property, on the right hand side, or the easterly side through this corner and then on the westerly side to this small section over here. There is some associated wet lands a flood plan with that, and we are currently before the Wetlands Commission in the approval process in that Commission.
The subject property is an R-20 Zone, what we are proposing to do is an R-20 subdivision, under the open space regulations, and for the record, as an R-20 subdivision it is the land owner's right to develop this property as an R-20 subdivision. The difference being an open space requires a special permit and that special permit is to allow for the preservation of the environmentally sensitive areas. I'm going to read Section 6.8, the first paragraph, "The purpose of this open space subdivision. The purpose of this section is to provide for controlled flexibility of lots sizes in single family residential so that the number of dwelling units contemplated by the minimal lot requirements is maintained on an overall basis. In desirable open space, tree cover, scenic vistas, and other natural features are preserved. At the discretion of the Commission a separate divider may be allowed to reduce the lot requirement in the R-20 zone provided the requirements of Section 5.2 and 5.3, as well as the following conditions are met." In an R-20 subdivision, R-20 open space subdivision, it goes on to say, we have to maintain the minimum lot size of the R-12 Zone.

Because of the natural features of this property, there is a significant amount of land that we are looking to preserve that this style of development would allow us to achieve without affecting those areas. By calculation, and it is shown on the cover sheet of the subdivision set, there is a calculation required under the open space regulation to determine the number of lots, take out the unusable area, easements and things like that, and our calculation demonstrates that this property can support 24 lots. The proposal we have before you is for 23 lots. The 22 lots would be on the extension of Rock Hole Lane, terminating in a cul-de-sac, and then on lot fronting on Church Street.

The proposal as we have shown it, and outlined it here in red, we have two pieces of open space that we are proposing to deed to the town. The larger parcel is 5.23 acres and then the brook section over by Church Street is another .62 acres. It's a total of 5.85 acres that we are proposing to donate to the town as open space, and that will be approximately 36.6 percent of the project's site.

This is a former farm field for the most part, where the house development is to occur. It was a dairy farm, adjacent to Edmond's Dairy which is what Windslow Drive is, in that area. The areas that we are proposing to leave undisturbed, the darker green is areas, where there is flood plain adjacent to the Rock Hole Brook and then there is some adjacent wetlands. Not all of the area that we are proposing is open space is wetlands, but there are wetland features and significant environmental features that we would like to preserve. There is a pretty much of an adult forest on the northern portion of the site, that hasn't been overgrown with invasives as the southern portion has, and it's going to provide a nice opportunity for passive recreation as open space and live educational opportunities, it's a nice piece of property. If you have the opportunity to walk in there, if you ever have had the opportunity to walk in there, hopefully if this is approved, when you walk in there, it is a large, dense canopy with an open forest floor. That is kind of unique in this area, we don't have a lot of that area around, and experience a different type of open space that I think will provide a lot of benefit to the town in the future. Again, as I said, this is R-20 land, developers entitled to do an R-20 subdivision, we're proposing to do it as an open space, and as the Planner stated in the previous application, special permits are generally granted if the applicant and the plans can meet the requirements of your regulations, and I think we have done that fairly easily.

Rock Hole Lane in the sixties was part of a subdivision from Rock Hole Lane to the west, that this road was stubbed to the property line. That is an indication that prior Commissions had determined that this property and the location of this stub road was an appropriate location to put the road in and access this property for development. We are proposing a cul-de-sac extension with about 1100 feet with a total length of about 1300 feet to service the development.

We did look at Allston Road to see if we could connect that property to there and that section of subdivision, those existing houses were done in the mid-eighties. There is significant elevation change from the end of Allston Road to where it would be opposite on our proposed road, there is about a 15 to 17 foot difference in elevation. In order to accommodate a grade, or a road extension at a safe grade, we would have to put about 20,000 cubic yards of material on the eastern end of the site to allow that to happen. That is not practical, it's not consistent with the regulations in working with the topography of the
land, and this currently is terminated in a cul-de-sac so there shouldn't be a need to connect the two roads. The proper location as I said, is the Rock Hole Lane, that is where we have chosen to develop it. We looked at all of the opportunities in different schemes as to how best to develop this proper and we feel very comfortable about this location. We also looked at coming in off of Church Street, starting at the east end and then providing a cul-de-sac at the west end, given the size of the cul-de-sac and the geometry that is required, it would require further intrusion into the environmentally sensitive areas, maybe some filling of wetland to get a minimal amount of lots, and it wasn't the best choice for this development in working with the land.

One of the requirements of the subdivision regulation is that we design the road layout, and that is Section 3.4 and it talks about relation to adjoining areas. Proposed local streets shall be planned to discourage through traffic and provide safe and convenient system for present and perspective traffic in the areas surrounding the proposed subdivision. So, we terminated in a cul-de-sac because the regulations talk about not wanting to make this a through street, and I think it would do more harm to the neighborhood if we were to connect this out to Church Street. I think it would allow a lot of people the opportunity to come down Kelsey Street in the morning, bypass the light on Pane Road, by-pass the light on Richard Street, and head north bound towards Hartford and the reverse in the afternoon, so we designed in accordance with the regulations, and we believe that this fully meets the intent of those regulations.

The proposed road, a fifty foot right of way, as required for residential, local residential streets, it has a 24 foot width in the pavement and a full 45 foot diameter cul-de-sac with a granite curb around the cul-de-sac. The sewer for the property, it would be serviced by the MDC, water also provided by the MDC and we have submitted for the record a letter stating that, from the MDC that they do have availability for a sewer, water for this project. The sewer actually is a trunk line that traverses the site, starts at the northwest corner and then goes in a southwesterly direction and then heads easterly towards Church Street, drops south again at the back through Church Street. We would tie into that sewer main, bring the sewer up to the street, and then bring it in a westerly direction and then easterly direction to service the 23, 22 homes in this direction.

The house on Church Street would be served from the existing sewer main that is available. Water is available on Rock Hole Lane. it is brought down currently almost to the property line. We have extended the main water line to service the development and provide fire hydrants as required by the Fire Marshal.

The, I'm going to have Joe Penginini walk about the drainage, erosion and sediment control in a minute and him going to have Scott Hesketh talk a little bit about traffic, although this is not a major traffic generator and per the subdivision regulations it does not require a traffic report because it is under 50 homes, or 50 lots, but because they do mention, the regulations do mention traffic, in the special permit requirements we felt it appropriate that we at least have a traffic statement to address that section of your regulations. The, along with our special permit for the R-20 open space, we are asking for a special permit for an interior lot, which would be Lot #1. Because of the topography and the configuration of the property there is a large section of land at the southwest corner of the site that is conducive for a homesite. It does meet and/or exceed all of your dimensional requirements and bulk requirements for a lot. It has the adequate right of way with the proper driveway width, the lot must exceed, must have a minimum of one and a half times the R-12 requirement, it's about an acre in size, so it is significantly larger than the minimum required, but it allows us to take advantage of a nice piece of uplands here that could provide a nice private homesite as part of the development.

The, one other issue we are looking to ask from the Commission is a waiver of sidewalks. There are no sidewalks, this development which covers Winslow, Stonehedge, and about nine other streets, from Church Street down to Kelsey Street, there are no sidewalks in any of those neighborhoods, and we are asking for a waiver, and it has been the practice of this Commission in the last twenty, twenty-five years in this type of development not to require sidewalks. If we were to put sidewalks in, they would have no where to connect to, and it doesn't seem like it would be a benefit to anyone, and probably more of a
detriment to those homeowners who would know that they would have to maintain those sidewalks if they were in place. So we have submitted a letter requesting a waiver of the sidewalk for this development. Joe, I'm going to ask you to talk about the drainage.

Joe Perigini: I'm a professional engineer with the firm of Weston and Sampson. Our office is located in Rocky Hill. I was primarily responsible for the storm water management and the erosion control design for this project. Early on, we had met with the Town Engineer to discuss our approach, and we have had subsequent meeting to address various town comments, and they have been very helpful in arriving at the design that you see here. We are confident that this latest configuration has addressed all of the Town Engineer's comments. I'll talk a little about the existing site. As Alan mentioned we have the Rock Hole Brook that extends from west to east along the northerly boundary, there are wetlands east, along the northerly boundary, and there are wetland and floor plain associated with that, and the development has done it's best to avoid the flood plain, there are some minimal encroachments, the design has done its best to minimize disturbance along the upland review area, but there are some encroachments and minimal wetlands disturbance because of the proposed sanitary line. The site generally grades in a northerly, northwesterly direction, there is some off site runoff to the southeast in the lower right corner of the page, and the end of Allston Road. A little bit of that area eventually makes it way to the wetlands for the brook and those are the patterns that we look at and comparing what the pre and post development affects will be. In discussing with the Town Engineer, this site is unique because of it's proximity to the Rock Hole Brook, typically when we look at any development we want to try to match or decrease the pre and post development runoff, but because of its proximity, it's necessary for us to look at, what would be the impacts to the brook of that detention, and in case, it required that we conduct a hydrologic and hydrologic analysis of the watershed. It's the actual watershed of the brook, it's about one and a half, over one and a half square miles of watershed that contributes to this brook, and when you talk about a development like this that is this close to the brook, and when we look at detention, there can be an issue with detaining runoff and potentially matching the peak of the brook, when you detain and hold back that runoff you delay the timing of that runoff and it could coincide with the peak of the brook. So, we went through the process of analyzing that watershed and the affects from this development with detention and without detention. When we did that, we found that there was an increase when detention was considered such that there was, it did coincide with the peak of the brook, and it was higher. So if we had the scenario with no detention the runoff is allowed to leave the site before the brook peaks, before that large watershed peaks. So, we presented this in our report and we discussed this with the Town Engineer, and the consensus and agreement was that detention would not be desired in this case, so we're not showing that detention, but we are addressing all of the other requirements, so this site will have a traditional roadway drainage system. It will collect all of the runoff from the road, the front yards, much of the overland runoff. There are some structures, catch basins, that extend along the southern boundary of the property behind those homes, that is to divert runoff along the back property line though a swale rather than have it flow between the units, and that will eventually tie into the system in the road. This system is designed with storm water treatment, we have a Connecticut DOT approved structure that is located in the road to treat that runoff. It will remove greater then eighty percent total suspended solids, before it is released. At the outlet of that system, we designed a scour hole for the public protection, and to the left of that here is an existing drainage that comes down from Rock Hole Lane and in discussing with the Town Engineer and he had requested that we provide some outlet protection for that pipe because there currently is none. So it made sense to provide that and then because they are both in proximity to each other, the two discharges, we're also adding a level spreader between the two, so we do have the energy dissipater, the scour hole, that will reduce the velocity and then they are connected with outlets, level spreader which will basically convert concentrated flow to sheet flow before it reaches the wetlands.
Other measures that are included in the design are three feet deep sumps, in all of the catch basins. There will be debris hoods on all of the outlet pipes. Roof runoff will be allowed to flow overland and just naturally infiltrate and continue over the site. We do have an operation and maintenance plan included in the report and included on the plans that is the responsibility of the development to maintain anything outside of the public right of way. At this point I will talk about the erosion control and sedimentation design. That is a plan that Alan has put on the screen now. So when we have a site with a certain threshold of disturbance we look at what measures are required by the State and when we see a certain area of disturbance, in this case, we have added a couple of temporary sediment traps, and it really depends on the topography of where the run off is going and how the construction proceeds and so we have identified two locations where we expect these traps to be required. They really are to capture sediment runoff allowed to settle out, and then after some filtration, stone filter berms before it is released so these are mostly located over at the northwest end of the site, kind of at the low end of the low point, just prior to outletting to the wetlands. In addition to these, we have perimeter set of controls located around the entire project, these are dual measures of silt fence backed with straw bales throughout. We have added it in other areas and we expect, as construction proceeds, the roadway would go in first, so we have sediment controls around that, and then as the lots get individually developed we have additional controls down gradient of those as well. Other means that are shown here are anti-tracking pad at the entrance to the site on Rock Hole Lane, there will be catch basin protection, stockpiles are shown, there will be dust control if conditions are such if that is needed, and in the case of where we have slopes that exceed a certain threshold, we have temporary and permanent slope protection or erosion control matting.

After local approvals, this project also is large enough that it needs to go to the Connecticut State DEEP for a storm water discharge permit. So these measures that are shown here will all be formalized into a report, a storm water pollution control plan, and that will include all of these measures and requirements. Also, it will detail the storm water inspections that are going to be required. Those inspections are going to take place weekly or after a significant storm event. There will be reporting that will take place and the inspector will monitor the erosion control measures and the inspector will evaluate whether anything needs to be replaced, repaired and alert the contractor as well. That is just the additional level of oversight that this project will have in terms of erosion control. That ends my presentation.

Alan Bongiovanni: A couple of really quick things, to tag onto what Joe said, all the hydraulic analysis and the need for detention and not detention, this is not something new. Detention is not mandatory. When it makes sense it is always implemented, this development is on the same watershed as Pfister Farm, off of Richard Street behind one of the fire houses. That development, higher up in the watershed also received the same type of design where the storm water from the site was allowed to flow out before the peak caught up with it, benefiting the watershed as a whole. So just to put that on the record.

Scott Hesketh: Again for the record, my name is Scott Hesketh, licensed engineer in the State of Connecticut from the firm of F.A. Hesketh and Associates. Our firm is in East Granby, Connecticut and we have written a traffic statement dated March 7, 2022 which has been submitted as part of the application. Mr. Bongiovanni called and asked us to prepare a traffic impact report for the proposed development and reviewing your regulations we noticed in Section 6.1.9, Application requirements, that a traffic impact report is not required for subdivisions unless there are 50 or more lots, so what we have prepared is a statement reviewing the site plans and indicating how the plans comply with your regulations, for your consideration.

The proposal is for 23 single family detached units, and according to the Institute of Transportation Engineers trip generation report, based on the average trip generation rate for that type of land use, we are projecting 217 trips on a daily basis, 16 trips during the morning peak hour, 22 trips during the afternoon peak hour, and as Mr. Bongiovanni indicated relevant as a standard subdivision could contain
as many as 24 lots. There are 23 lots proposed here, so in terms of the special provision we're looking at relatively the same volume of traffic and one could argue a reduction of traffic from the standard subdivision regulations, so we don't believe there is any substantial impact from this proposed development. Again, looking at your regulations Section 3.4 of your regulations indicates that the roadway should be planned to discourage thru traffic. As Mr. Bongiovanni had indicated, reviewed several alternatives, and the cul-de-sac is the alternative that does discourage thru traffic from one location to another, so that, we believe this development meets that section of the criteria. Section 3.6 of your regulations, street classification, indicates that this street should be planned to provide a safe and convenient for present and future development, and Mr. Bongiovanni discussed how that was done, and why the connection was made to Rock Hole Lane and not to the other existing cul-de-sac roadway. We believe the development meets that criteria as well.

The roadway has been designed as a residential access street which means that it should be designed to carry fewer than 250 vehicle trips a day. As indicated previously, based on the IT trip generation numbers we're looking at an average of 217 vehicles, well below the 250 vehicles per day, so therefore the roadway as designed with 50 feet of roadway, right of way of 24 feet, designed to be at 25 miles per hour minimum grades, and I believe that the plan, as presented to you meets the requirements of Section 3.6.4.

Under the Section of 3.6.16, cul-de-sac streets, indicates that a cul-de-sac should not be in excess of 1600 feet. As indicated, the second of roadway here would be about 1300 feet in length, total so we fall below the 1600 foot requirements so we believe that we meet the requirements of that subsection of the regulations as well.

Section 3.1.1 is sidewalks and indicates that residential streets are supposed to have sidewalks, I believe, as indicated by Mr. Bongiovanni, that they are asking for a waiver of sidewalks which is my understanding has been the practice of the Commission over the years. Again, the residential subdivision into which we are interconnecting consists of approximately 9 different residential streets, none of those roadways have sidewalks there so it would seem impractical to, or not necessary to provide them on this particular roadway, so based on our review of the regulations, based on our review of the site plans, and the projected trip generation of the proposed 23 lot, single family development, it’s our professional opinion that the plans presented to you this evening meet the applicable requirements of your zoning regulations with respect to traffic and roadway design. I will be available for questions if the Commission has them at the appropriate time.

Alan Bongiovanni: A couple of things in closing, we have worked on this set of plans for about nine months with Tony Denorfia and his company trying to come up with the best product for what he likes to build and to meet our regulations. Tony is not a novice to the Town of Newington, Tony was the developer of the Barn Hill neighborhood, he is the developer of the Peckham Farm, he has built sections of Hunters Green, condominiums, finished up that project, so he has been in town for some time, he’s been building probably as long as I have been surveying, and he has a nice repertoire of projects that he has completed and a whole host of very happy customers. The proposal here again is for lots, they are smaller than the R-20 but that is to preserve some of the more sensitive areas. If we came in and tried to do this as an R-20, we’d get the same number of lots, we might get the 24 lots, but we would be pressed to push towards the wetlands, maybe have to relocate some of the wetlands, they are not all high quality, but the do meet the statutory definition of what a wetland is. I think we would be successful in that area if we chose to go that way, this is a better way to do it in preserving the environmentally sensitive areas. The smaller lots don’t necessarily mean smaller houses. The existing neighborhoods, those houses probably range from two to twenty-five, to twenty-eight hundred square feet. It is Mr. Denorfia intent to build houses of similar size to what is in the existing neighborhood. Given the price of housing, what it costs to build houses to, these new houses will probably be more expensive than the existing neighborhood which wouldn’t be a detriment to the existing housing stock in that area. We have, as I
said, we worked on this for over nine months, we've met with staff over different periods of time, we've received comments, engineering and technical comments from Planning. We have addressed those comments. Plans have just been resubmitted to the town for their review but through the process we talked with the town once they issued the comments. A lot of them were technical in nature and I believe that we have successfully addressed all of those comments and you know, at your next meeting, or one of your future meetings I'm sure you will get a report from staff along those lines.

Just real quick, in closing, the procedures for the special permits under 5.2.6, you have certain criteria that we are required to meet.

Item A, the need for the proposed use and the proposed location: it is a residentially zoned property, and it is surrounded by residential homes, single family residential homes, and our Plan of Conservation and Development talks about the need for different types of housing stock in the Town of Newington. This would provide an opportunity for people, many people in the same neighborhood to come up with a house, maybe for an older person that would want something on one floor, like a ranch, so as they age in place they have a structure that is conducive to that. This could be attractive to families. If anybody has had the opportunity to watch 60 Minutes this past Sunday night, there was an article about housing and an economist from Redfin, a national retail, I'm sorry, a national residential consulting firm, they estimate that the United States has a deficit of four million housing units at this time. There is a need for housing in every state in the union. We believe there is a need for housing in the Town of Newington and our Plan of Conservation and Development speaks to that.

Item B; character of the neighborhood, as you heard in the last application, that is no longer allowed by state statute to consider the character of the neighborhood.

Item C; the size, type and location of main and accessory buildings, in relation to one another and in relation to other structures in the vicinity. This piece of property is the remaining parcel surrounded by single family residential lots. Whether it is R-20 or R-20 open space, we have zoning bulk requirements, side yard and setback requirements, that we must maintain. If we can maintain those requirements they are within your regulations. An R-20 requires side yards of 35, a building line of 30 rear yard. In a R-12 zone you have the same setbacks, 35 foot front yard, ten foot side yards, and a 30 foot rear yard. Houses will be no closer together in an R-20 open space or a straight R-20 development.

Item D: traffic circulation, this really talks about larger scale retail developments, I believe Scott's report his presentation adequately addressed that.

Item E; the availability of public water and sewer, we have provided a letter from the MDC saying they have both those utilities for this site.

Location and type of display signs, lighting and landscaping and the impact of type signs on adjacent properties; there are no signs proposed except for maybe a stop sign on the street, or street sign. Lighting and landscaping, this is a residential neighborhood we're proposing nothing different than the neighboring houses and lots would have on their property. This again, probably speaks more towards the commercial and industrial developments.

Safe guards to protect adjacent properties, and the neighborhood in general from detriment including, but not limited to proper buffering, once we comply and it is my expert testimony that we comply with all of the zoning regulations, all of the planning and zoning regulations, the subdivision regulations of the Town of Newington, once we do that. Meet all your bulk and dimensional requirements then we automatically meet Item G, safeguards to protect the adjacent property and the neighborhood in general from detriment including but not limited to proper buffering.

Every one of your requirement we have complied with in this application, in this set of plans, and I believe that we satisfy that requirement.

Having said that, it’s been a long evening, I’m happy to conclude my presentation and would love to answer any questions that you may have.
Chairman Pane: At this time I would like to go to Erik or Renata for a staff report and get additional information from them concerning this project.

Renata Bertotti: We have reviewed the plans and as of right now we do have some comments that are outstanding; most of them though are technical and the applicant has agreed to address the majority of them. Most notably, and I will talk about a couple of the ones where we are at the point of no resolution with the applicant. The Commission will need to discuss these. There is a recommendation and this is not a requirement, but it is a recommendation coming from both our engineering department and the Fire Marshal's office to consider an access either off of Church Street or off of perhaps Allston road, which would provide lesser distance to an emergency access from the engineering point, but then the Fire Marshal has some comments in regards to maneuverable Rock Hole and the other roads in the area are, and how sometimes there are people that are parked on both sides of the street and how, when they need to do an emergency access, they have to weave through those streets. I will premise that by saying that the conclusion the memo says, Newington Fire Department will be able to provide fire protection to the proposed subdivision, so this is not a matter of public safety, this is again a matter of preference.

Chairman Pane: If I could just interrupt you for one second, is the proposed road, at 24 feet and what is the width of Rock Hole?

Renata Bertotti: I do not have that information right now, we can, perhaps the applicant has it, but I do not.

Alan Bongiovanni: If I may Mr. Chairman, I believe it is, I think it varies, 26 to 28 feet. Most of the streets in the neighborhood are 30 foot pavement. Up until recent years, I would say since the year 2000 we had some changes in the 2000's, but prior to that, the minimum subdivision road in the Town of Newington I believe was a 30 foot width, and I believe all of these roads in this neighborhood are 30 foot. This is a little smaller on Rock Hole Lane probably because it was built as a dead end road. I think it is 26 to 28 feet, I think it varies.

Renata Bertotti: Again, just going back to our point, that it is a little bit long to get into the subdivision, Church Street is right there, there is perhaps an opportunity for access off of there, it is not a requirement and it is again, even in the Fire Marshal's decision, a matter of public safety. It is a recommendation or a preference.

The second comment which is relevant as well is the comment about the sidewalks. The applicant did submit a request for a waiver for sidewalks, however under our subdivision regulations the provision of sidewalks seems to be something that the Commission is required to seek, and I do not, we have not been able to find an avenue for granting of the waiver. Now I am aware that the Commission has previously granted these waivers, and actually Erik has findings in the minutes, from previous instances when there was a discussion in front of the Commission and the waiver of sidewalks was granted, but I do not have anything in the zoning regulations or subdivision regulations, that allows you the ability to grant this waiver.

Chairman Pane: Thank you Renata, is that it?

Renata Bertotti: That is it from the staff and then once you open it to the public I have a couple of correspondence.

Chairman Pane: Commissioners have any questions before we go to the public?
Commissioner Gill: The, SNET easement that is by lots one and two, what is that for?

Alan Bongiovanni: That was from the early 1900's and actually that is only I think about a quarter or third of the width. The majority of that easement was actually on the subdivision to the south. It starts at the location of Allston Road and it terminates at the west end of our property. It was through fields and lanes for service over one hundred years ago for a contemplated service over one hundred years ago. When Balzar development was developed, they approached SNET and they extinguished the easement, it won't affect us because it occupies the same thing and the side yard or the rear yard setback, but we intend to approach SNET or their predecessor, sorry, successor, to have it extinguished, just to clean up the title, but it is an easement from no where to no where for no real value. It's something that never got cleaned up on the land records.

Commissioner Gill: Thank you. As far as the driveway, going to lot #1, is there any way that could be moved to the north side of lot #2 instead of it being on the property line of the property owners on Winslow?

Alan Bongiovanni: I'm going to say, not practically. If we were to move into lot #2 it would go along the side of #2 and then behind the rear of lot #1, where now you have existing properties that abut us to the south, and you would have a straight shot to the rear lot. It's only a couple hundred feet in length. It does meet the requirements. It does meet our sideyard and setback requirements from the property line, it does meet the minimum width of the driveway, it's a residential driveway, it's going to service one house. It's not intended to be a throughfare that would cause undue disturbance. It's not an uncommon situation in the Town of Newington, anywhere, to have that type of a situation.

Commissioner Gill: But it does impact the residents on the Winslow side, having a driveway right across their property, when it could go somewhere else. That's my point.

Alan Bongiovanni: I disagree with you respectfully, I think this is the appropriate location for it. I don't foresee it as being a detriment to the neighbors. When you own your house and your lot, you have a lot of rights, as they do on their lots. It's a driveway, I mean, if that driveway wasn't there to the, if it wasn't a rear lot it probably wouldn't be questioned. It does service a rear lot, can we configure differently, it's possible but I think the value of lot #2 would be significantly harmed.

Commissioner Gill: Okay, also the other lots that abut Winslow, there are a number of more lots there that the abutting properties are, the sizes, we put a lot of houses in the small space, could we move some of those lots to the north side of Rock Hole Road.

Alan Bongiovanni: That kind of defeats the purpose of doing an open space subdivision and preserving the environmentally sensitive areas, the wetlands, the watercourse, things like that, the stand of trees, a good open hardwood mature forest, this is why we chose an open space development so we could minimize our impact on those areas and preserve those areas for future generations.

Commissioner Gill: Okay, as far as being the deeded properties, is there a reason that they are not tied into each other?

Alan Bongiovanni: That is the way that the Eddy family had acquired it. They had never merged the properties. When AA Denorfia purchased the property it came in two parcels. They will combine the two prior to, if approved, prior to finishing the development they would have to merge those properties so the Town would get one piece of open space. It is just the way the property was divided in the past. They
acquired the, the Eddy family, who this came from, acquired it in different parcels and they never went through the process or expense of merging them at that time. That is something we will have to do.

Commissioner Gill: So they will be tied together?

Alan Bongiovanni: They will be, they are both in AA Denorfia Building and Development Company, they are both part of this application, it’s just that the merger hasn’t happened yet, so I have to show it the way that it is today.

Commissioner Gill: Okay, and as far as the cul-de-sac, if we put an apparatus, a layout of the travel in that cul-de-sac.....

Alan Bongiovanni: I appreciate your question, and that kind of goes to what our Planner was just talking about and comments from the town engineer and the Fire Marshal. This road is designed to meet the standards and dimensional requirements and geometry of our subdivision regulations. For the style of road, this is a local residential access street. We’ve maintained at least the minimum requirements of the geometry and layout of this road. When this Commission had established those subdivision regulations, they did that with engineering knowledge, they did that with safety, they did that with circulation in mind, those standards were established and the developer designs the road to meet those standards, it has to be considered to meet the apparatus that the town has. The minimum requirement of an outside radius on a cul-de-sac is 45 feet. We meet that requirement, we meet the road width requirement, we created this road, the steepest grade of this road is about three percent. We started at Rock Hole Lane, we go around about two percent, we transition to three percent the last section of road that the cul-de-sac is on is about one and a half percent. We’ve done, I believe a very diligent job of making sure that this development works for the land. We’ve designed this so that, one, the road conforms to the contour of the land as practical and then we balance the cut and fill on this site. We’ve also designed it to meet the Town’s geometric standards and this is no different, this cul-de-sac size is no different than required on any other subdivision in the Town of Newington. You may have some older subdivisions that have a larger radius, but this is the minimum required.

Chairman Pane: We’ll go to the public if there are no questions from the Commissioners. Is there anyone wishing to speak in favor of the application? Anyone in favor?

Nicole Pane, 98 Pickens Drive: I’m going to speak in favor of this, of Rock Hole Lane. I’ve been here for about 13 years almost and I had a feeling that this would happen, and it did, I don’t see an issue with this. I do on the other hands see an issue if you do open it up to Church Street as well, you will get a lot of traffic which would be pretty detrimental to this neighborhood and I don’t see an issue with anything else. I appreciate all the work that you all do.

Chairman Pane: Thank you. Any one else wishing to speak in favor of this application? Seeing none, anyone wishing to speak in opposition?

Andrew Melnick, 118 Winslow Drive: Good evening, my property happens to be one of the abutting properties to lot #1, which the rear lot driveway will go directly behind my property line. I guess I’m just here tonight to speak in opposition because the Conservation meeting which was held last week chose to vote to go to a public hearing for the wetland changes. The applicant tonight, I have not heard him speak to any of the changes that they are proposing to the wetlands maps or to the buffer zones. Presently the corner of my property is in the upland review zone and the proposed changes that the applicant is going to make changes that, and that meeting for the Conservation Commission is scheduled for April 19th, and
Ron Adorno, 54 Alston Road: Two things I want to address on the development, first is the entrance and exit to the development and question why the neighborhood, how the neighborhood of Rock Hole would be affected by the increased traffic when the entrance can be placed on Church Street. I called the Planner’s office when I first heard about this, and the person I talked to indicated that Church Street was the preferred entrance and the neighborhood wasn’t able to handle 200 plus cars traveling on the road. As a percent of total traffic, the traffic on Stonehedge, Alston, Winslow, Rock Hole will increase greatly, doubling or more than doubling the number of cars daily. As a percentage of traffic on Church Street, I’m sure it would be very minimal since Church Street is a major street in Newington. It can handle 200 more cars safely. As we heard tonight, if Culver Street can handle 1200 cars, per day, I’m sure Church Street can handle 200.

Last year there was an accident at the corner of Winslow and Alston, at night. I’m not sure what happened, but a car hit a fire hydrant, so speed has been an issue. The police officer was over and was glad that no one was walking there as many people walk on those roads, around, not only during the day, but all hours of the night, walking alone or with their dogs, so we need to consider the safety of the residents in the area. As it is, many people don’t stop at stop signs at Winslow and Alston, they whip around the corner, this only would be exacerbated with 200 more cars going down the street. Neighborhood is also on the older side with younger families staring to move in and as such there will be more children walking and riding their bikes on the streets than there currently is now, in the future. Additionally it is safer for the residents of the new development for the entrance to be on Church Street, emergency vehicles will be able to get to those residents much quickly if they don’t have to travel down Church, then Stonehedge, Alston and Winslow, having to traverse several corners. As you know, seconds count in an emergency and quick response can and will save lives, but for the safety of all of the residents of Stonehedge, Alston and Winslow, in the new development, we should move the entrance to Church Street, from Rock Hole. The other thing I want to talk about quickly is the size of the lots, when we bought in the area it was zoned R-20, the surrounding area, the land is all R-20, I’m not aware of any variances in the surrounding areas, if there are, they are very few and far between. R-20 means that lots are to be a half acre, and a minimum acceptable lot is at least .4 acres. Of the 23 lots that are planned, 17 are less than .4 acres, that equates to 74 percent of the vast majority of the new homes to be built. That does not fit the norm of the surrounding area, will substantially affect the home values, of the surrounding neighborhoods and probably reduce the taxes on the existing homes. Of the 17 lots, the average size is .2782 acres, that is fifty six percent of a half acre and seventy percent of .4 acres. You have an minimum of 24 acres for all lots and my calculations indicate that the 17 lots would be reduced by only 7, so the total lot development would be 16 instead of 23. That would be a nice size development, about the same size as Pinebush which was built in the late 80’s on Winslow and they are all R-20. I really want the area to stay zoned as R-20, and not allow them to squeeze in smaller lots. Again, the traffic from the development is too much to add to Stonehedge, Alston and Winslow when a very suitable and safer alternative is available on Church Street. The developer should provide another plan with Church Street as the entrance and exit, and with all lots complying with the R-20 zoning requirements. Thank you.

Rachael Corel, 82 Winslow Drive: I stand in opposition to this petition of the development. The problem that I have is, when I first moved into the area there was the possibility of a development, but it was
supposed to be the exact same kind of zoning that we have, R-20, not R-12. I don’t know why, just for the sake of I don’t really know why he wanted to do that, but in any case, by keeping it R-20 that would be ten times more reasonable, I would completely understand that. I have waked back there, in the woods, and I can’t imagine 23 homes existing there, and then the amount of pollution, the amount of water issues, there are going to be so many problems that will exist if you have that many homes back there. I believe it should stay R-20 and on the other hand, also have the entrance at Church Street, again, just reiterating what people have said, I am a walker, I walk all of the streets in the neighborhood, it is wonderful, there are children I pass by and it will completely change everything by having 215 more trips per day in the area where I live, so having it on Church Street, it would be better in that respect and I’m also, it would be better as well because if there is an emergency, it would be easier to get to that area, rather than meandering through our area. That’s all I have at this point. Thank you.

Scott Corel, 82 Winslow Drive: We purchased this house in 2003, during that process I talked to a TPZ member and asked him about the land behind our house. I was told at that time that there had been two or three plans for R-20, not R-20 special lot. I believe that one plan, with the most houses was 16 and that was turned down by the town, due to the wetlands. Having lived here for 18 ½ years I’ve watched the flood part of the brook go south, which is headed towards this proposed development. I frequently walk out there too and we all know that wetlands leave a ledge where the water erodes the earth. That borders on many of the rear properties on the houses that are on the north side. Also, the deeded land to Newington is kind of like the swamp part of the brook. It’s, it couldn’t be used for anything, you might be able to hike there with boots. I’m a little concerned with Newington’s build anywhere, build everywhere, I get it, we do need housing progress and I am worried about the R-20 to the R-12 due to the special permit. I am worried about the traffic, I realize that there will be X amount of trips on the, what I refer to as the Rock Hole Lane extension, but you are virtually putting 22 houses of traffic, you are adding 22 houses to Winslow Drive, which I believe is about 30 houses long. If you live in this neighborhood, Church to Stonehedge, to Alston to Winslow, and reverse is the basic traffic pattern, that is almost doubling the traffic on Winslow. Naturally I wouldn’t want this project at all. I look out my back yard, I have open space, I have deer, I have a blue heron, I have a coyote, which I’m not fond of, but.....also I grew up on Knollwood Road, and when we developed Knollwood Road, a lot of copperheads appeared, every time they built a house. I’m hoping that doesn’t happen here. I would recommend Church Street. I am a R.N, I have a lot of respect for EMS services, I would recommend looking at the Church Street entrance and a cul-de-sac, allowing once again, the most lots a person could build. I wouldn’t want a cut through, I would be against that. So, I guess in conclusion, I think there are alternate plans, they may not have been presented, but I guarantee they worked on them. Also, I would like to thank you for your time, it has been a long night, and you do get a lot of grief and you have to make a lot of decisions. But, the people who are complaining are Newington residents, and I understand how the builders, and work with the town, and figure things out, but then the resident gets a letter in the mail about a public hearing. They aren’t aware of anything. Once again, I want to thank you for your time.

Andrew Howard, 331 Tremont Street: Our property pretty much abuts the majority of the north end of this development. Couple of concerns looking at where the sewer main ties into the current gravity fed system that travels from Church Street through this property and then through a right of way, and actually down our driveway. We have experienced in the past, when the brook reaches flood levels that our sewer main stops. There is severe water infiltration into that sewer system which actually travels underneath the brook, and one of my concerns is the addition of 23 homes which if you flush the toilet, all at the same time, is going to overload that system. In addition to that, the storm runoff that currently enters from Edward Street in three locations on our property into Rock Hole Brook currently is eroding and needs attention and if you add additional surface trainers to this brook, I can’t imagine what levels those are going to come to, along with the erosion of the actual edges of the brook itself. We have lived...
here for approximately three years, we enjoy the wild life that comes and goes, this is going to diminish a lot of that. I know it's not our property, it's not ours to do what we want, however if we stick to the original zoning, with less homes it would have less impact, less water intrusion, etc.. That's about all I have to say.

Bill Prentice, 61 Maple Hill Avenue: My son-in-law was just speaking to you, I have a couple of concerns like he did, I'm kind of concerned about the size of the cul-de-sac. I can't believe you can bring a snorkel down that street, turn that around without backing it up, because my sister-in-law just built Packards Way over here and she was required to have a 90 foot diameter circle, so this is either not drawn to scale, or there is something funky going on. Another thing is, the property that these people are giving you, is basically going to be underwater in a heavy rain storm. So they really aren't giving you a whole hell of a lot of usable property, to say that they are giving it back to the Town of Newington. There will be more skunk cabbage in there than anything. The size of these houses, with the runoff from the roof, the roads, I can't believe these tiny little ponds are going to take care of that. You have to go there, when they tell you there is an inch, an inch and a half rain coming down in 24 hours, take a trip down to that brook and see what it does. It looks like the Connecticut River, it's insane, so anybody who is on 3 through 8, there back yard is going to have serious problems. I'm not sure, is that a hidden line there, where it backs up to this green space that they are giving you. Do people know that they are going to be able to build, or not build on that area? My understanding, in a conservation area, you can't put a fence up, you can't put a shed up, you can't do a lot of stuff. That's about it, the biggest one is that cul-de-sac not being big enough. I don't see how you are going to get a fire truck, and they say they are doing everything to standard, they said it as just 24 feet and the standard is 30 feet, so the terminology is a little squirrelly.

Ms. MacIntosh, 354 Church Street: I'm not for or opposed to this plan, my only concern is the increase in the water flow in the brook. There is a lot of concern when it does rain, there is a lot of water and then with the house being built at a lower level than this cul-de-sac, I'm concerned with the water table and the water in the basement of the house. With Church Street, they raised the level of Church Street, it's caused water damage in our basement doing all this work over on this side of the street, I'm concerned with the water and also putting the entrance on Church Street, Church Street, the traffic there, it's so fast, there are always accidents in that area, that's a big concern as well, and that's pretty much all I have, just take into consideration the increase in the brook level and the water table.

Erik Velez, 179 Winslow Drive: I'm against the traffic flow going out of Rock Hole, I think Winslow, like the past person said, there are a lot of people walking on the street, all times of the day, there are a lot of walkers and I think the additional traffic is going to have an impact, somebody is going to get hurt there. Also, all those homes to the north are going to be underwater when it really rains, I mean, that brook really hums when it rains a lot, and I think that is going to be a problem. Also, I think this development is way too big. I think it should stay at R-20, the housing is too dense, I just don't like it that way. That's all I wanted to say, I just wanted to make my thoughts known, thank you.

Michael Lanza: I am opposed to this, but this is more of a question, this is in reference to page 12 of the 23 page plan that was put on line. I want to know the sort of bold lot line that outlines the area, what that is supposed to signify? It's not clear from that map.

Diane Ruskas, 58 Winslow Drive: I, like Scott and Rachael Corel, I believe we moved into Winslow Drive around the same time. We moved here when my children were small, 3 and 5 years old. We fell in love with Newington because it was a nice town where we could come and raise our children. This neighborhood really spoke to us in that it was a family neighborhood, it was quiet, and it was so peaceful, especially for us here looking out our backyard, and seeing the natural trees, the greenery in the spring
and the summer and the beautiful leaves in the fall. Seeing the deer come to our yard, and practically up to our deck, all season of the year, seeing all the pretty birds, the hawks flying around, it really breaks my heart, I know that there are all these legalities, but it breaks my heart to think that Newington is so desperate to sell or build on every open space there is, and not preserve the beauty of nature that we all need and crave, especially with everything that we have been going through the last several years of our life. I'm a hospice nurse, I deal with death every day. I come home and my home is my peaceful place. To think that my peaceful place is going to be taken over with traffic, with trucks coming for the next two years with building materials and banging and banging and God knows what, for God knows how long, it just sends me over the edge with anxiety. I know a lot of people are going through a lot, but all of this, and not allowing this, to have peace with this development and all of the you know, it's just not right. I know, the technical stuff I'm not into, but a lot of us moved here to grow old in our homes. I know there are a lot of elderly people in this neighborhood, and a lot of new younger families, with younger children who find this neighborhood so welcoming, that they do walk. They walk with their children, with their dogs, the elderly people going for their exercise, please consider allowing us to keep our peaceful, beautiful neighborhood the way that it is. Thank you.

Renata Bertotti: I have to enter into the record the correspondence, so I'm just really going to quickly read this into: I have an e-mail from a Kiea Lanza, "Commissioners, my name is Kiea Lanza, I reside at 82 Allston Road, Newington. My property abuts the proposed new development. I would like to know if consideration has been taken in regards to the commotion that will be generated by 23 homes, even if the occupants will have one car for each household. Also, has the Commission considered the impacts on the existing homes, since these are zoned for half acre lots. What about the woods around? A response is appreciated, regards.

The next correspondence is a complain form that we received today in the office. A gentleman come in, he doesn't have a computer, he was inquiring about an in-person meeting and since that wasn't an option, he submitted his comments on a complaint form. His name is Roy Colcheski and he resides at 75 Allston Road. "Brief description of complaint. Devalue my house, more cars on road, probably meeting to face these people, I have a huge house, huge lot.

The lastly, there is another e-mail from Lucretia Tyler. "I live in the neighborhood of the proposed housing project and I'm against this because number one, destruction of the wild life, they use this property all day, every year. Number two, too much traffic for the current owners, number three, many new families with small children and they all walk dogs. These are my concerns, I hope you will consider these for me and my neighbors. Thank you.

Chairman Pane: Thank you Renata. At this time we will go to the applicant for rebuttal.

Alan Bongiovanni: I'll start right at the top, Mr. Melnick, has a concern about his rear yard and the driveway in that location, we'd be happy to discuss fencing if that is something that works to protect his home and his children, I don't think that is too much to ask in that location.

Question was asked about a wetlands map amendment, it's really not germane to this application, but so that people understand. We have an application before the Conservation Commission to change the wetland map as it is official in the Town of Newington. It was based on the early '70's, soil conservation service very broad brush, wetland are defined in the State of Connecticut by soil type. It is a factual delineation of the wetland, it's done by a soil scientist, he goes out there, he tests the soil, and determined which soils are hydra, which means they are wetland and which ones are not, he places flags at that delineation between the wetlands and the upland, and the surveyor, myself, goes out and locates them. It's not a discretionary thing, it's a factual thing. There are state statutes that define the wetlands, this is just a formal process to put those wetlands where they are.
Mr. Melnick, for your benefit, once the wetland map is amended, it will benefit your property because you will no longer be bound by an upland review area as you are now, based on the current mapping.

Several people talked about the road going out to Church Street. I can offer this as part of a response. Back in the '60's when Rock Hole Lane was stubbed into this piece of property, off of Winslow Drive, there was a direction by this Commission that this is to be the access for this piece of property. There is in the regulations, I read in the regulations that the subdivision regulations discourages through traffic. This is the appropriate location for this road. This road with 22 houses on it will have, and this is in Mr. Hesketh's report, a.m. peak hour traffic, 12 cars per hour. That is the peak. The p.m. peak, I'm sorry will have 16 cars total entering and exiting and the p.m. peak will have 22 cars an hour, that is the highest in the hour. These roads are designed to accommodate those cars. I can appreciate the neighbors don't want to see any more cars, they don't want anybody in their backyard, but the fact of the matter is, the roads are designed to handle the traffic, they property owner, Mr. Denofia his company are entitled to develop this property in accordance with the regulations set forth by this Commission. He is asking to do that, he is asking to preserve the open space, which specifically cited that this is the type of open space that the Commission is looking for us to preserve, while not increasing the density or the number of houses on the piece of property.

Mr. Adorna talked about the existing neighborhood, they didn't develop with reduced lots for open space. That is a fact, they didn't, but there also is no open space within those developments with the exception of probably the property that is on Mr. Howard's, where the brook traverses most of it, and that wasn't done as part of the subdivision. There are no open spaces, this is an opportunity to capture environmentally sensitive land, some flood plain land, and a piece of property that is to be owned by the town, to remain natural in perpetuity.

Rachael Corel, I apologize I didn't understand you, I didn't hear what you said, I think your voice was muffled during a lot of it, so I can't respond to you.

Scott Corel talked about plans that were never submitted or other plans, I can't speak to that. The owner has a right to build. The special permit is part of the regulations as the Planner has said earlier, special permits are generally approved if the applicant can demonstrate that he meets the requirements. We meet the requirements in spades. It's not, in my opinion a question of whether it meets the regulations, I believe it is a fact that we meet the regulations. This has been my career for over forty years, I am an expert in the subdivision of land and meeting regulations, and I believe we meet and/or exceed all of the regulation and we should be allowed to receive the special permit to allow this type of development.

There were a couple of comments about sewers. Sewers are a MDC problem. I'm not sure, I know that the MDC has been relining sewers, existing sewers because there is infiltration. Some of those gravity lines, I'm not sure if this is an area that has already been prepared but if you have an issue, or you know of a problem there, you should contact the MDC. Those are the people responsible to maintain the sewers. They have responded to us in an affirmative way that they have the capacity to handle the sewers from these houses. As a matter of fact, when in 1965 when those truck lines were designed, they already established the assessment to sewer this piece of property. They already have sewer laterals along that gravity line to service all those lots in the back. We are choosing the option to bring the sewer in the street to service both sides of the road so we have less impact to the wooded areas in the back. There are laterals to service these lots on the north side of the road. We're choosing not to use them because it's more environmentally friendly.

Mr. Howard, he has erosion on the side of the brook, you may have, again, that is something that you may need to address with the town. I do recall you meting one of my surveyors on the site when we were initially doing the survey last late spring, early summer. I think you inquired about buying some of this open land to expand your ATV track. So I know that you are familiar with the property.

Mr. Prentice, I think you might have misunderstood me, I talked about this cul-de-sac as a forty-five foot radius, it does, that is a ninety foot diameter. That is the same size cul-de-sac on Packards Way. That is the minimum required to handle the emergency vehicles, buses and garbage collection in the Town of
Newington, even though school buses don't go down cul-de-sacs. Road width, the requirements set forth by the town in the subdivision regulations for this type of road are 24 feet. They were 30 feet for many, many years. In the early 2000's they were changed and this is the current standard. This is kind of a national trend, that we're trying to reduce the amount of impervious area in a development. It saves natural resources, it encourages more ground water recharge, it's better for the environment. There is a balancing act between safety and service and the environment, this is the regulation that we have, that I have to work with. That's where we are with that.

Comments about speed and traffic on Church Street, I've seen it first hand, I had to go back and re-set the public hearing sign a couple of times, traffic is very high on Church Street. We do have, where we can meet the minimum requirements for sight line if a road was to be brought out there, but it's not the safest situation. It's not the most desirable situation from a traffic perspective. I know people talk about public service and that, and access to it. We met with staff, we met with the Fire Marshal, he did express that he wasn't concerned about the length of this cul-de-sac or getting to these in a timely fashion, he was more concerned about the road width and things like that and that is what is report is. They have recommendations that they would like to work with, but those are the regulations of the Town of Newington, if the Commission so desires to modify that to get a little more pavement or something, we'd be happy to do that if it makes sense, but there is a prescribed regulation, prescribed standards and that is what we have to work with.

Mr. Lanza talked about a heavy line on sheet 12 or 13, those are the erosion sediment control sheets, I believe the heavy line that you are talking about, and that is the drawing that I have on the screen, in this area there would be silt fence and hay bales, these areas here would be the stockpiles for soil and things like that.

Last, Ms. Ruskus talked about the, loves the open space, well, this is what we are trying to do, preserve some open space. Your desire to have somebody else's property remain open in perpetuity, for your benefit, you aren't the only person that asked that, that said that, I have encountered that hundreds of times in my career, unfortunately the neighbor has the right to develop it for which it zoned. He is proposing to develop it for an R-20 zone, so some of the natural space that you are used to may not be there forever, but in this type of development you are going get about 37 percent of the site preserved as open space in perpetuity and a large portion of the trees on the site preserved.

With that, I think that concludes my rebuttal.

Chairman Pane: Thank you very much Mr. Bongiovanni. We'll go back to the public, the public has the last word if the public has any additional questions or comments now is the time.

Michael Lanza: The line that I am referring to is not the one that is on the screen right now, again it's page 12 of 23 as posted on line, it's not this one. There is a few dark black lines outlining a big portion of this and the reason why I'm asking specifically about this is, the Allston road property, and it seems like we are the only currently existing property that is substantially covered by those lines, so I want to know what those lines are.

Alan Bongiovanni: If I may Mr. Chairman, just a technical, those outlines are the watersheds that go to the catch areas for our erosion sediment control. That means a portion of your property drains in a certain direction that we are going to propose to capture with the sediment basin. That is all that is. It doesn't mean we're going to do anything on your property, it just identifies that part of your water, that lands on your property flows in a certain direction on our property, and we have to treat it.

Ron Adorno: I have a few comments on the rebuttal, in the '60's I guess Rock Hole set at the entrance of what they were thinking of back then, but things change over time, and I know it was 50,60 years ago, and it won't be a cut though if Church Street is the entrance and the exit. I know, being a cut through
would be disastrous for everybody, but I'm saying that both the entrance and exit should be on Church Street. Second, traffic, sixteen cars in the morning, 22 at night, that means 182 for all other times, again, if Culver Street can handle 1200 cars a day, Church Street can handle 200. Third, the proposal may meet the minimum requirements, that doesn't mean it should be done. Minimum is just that, it's a minimum. Then lastly, the owner does have the right to build, may not make as much money if he puts in these changes, but you can't put a price on a kid's safety particularly. Thank you.

Andrew Melnick: Good evening once again, if I'm not too forward asking the applicant if he would be willing to have a meeting with the neighbors abutting on Lot #1, so we can talk about extending that courtesy of buffering or fencing to all the affected abutters, I would appreciate the applicants consideration of that, and I also appreciate the fact that the map change for the wetlands does affect me but there is also an affect on some of the homes of the new proposed subdivision and just want the, obviously I'm not a soil scientist, but I just want the Commission to understand that there is a pretty significant in the wetlands, and like many of my neighbors stated, when there is a rain storm, that brook turns into a river, so I just want them to understand the impact of what the Conservation Commission is tasked with and deciding the effect of the subdivision on the water and on the drainage and I thank you for your time.

Alan Bongiovanni: The applicant is willing to discuss with the neighbors of lot #1 the affect of the driveway and come up with a solution that would satisfy them, sure.

Nicole Howard, 331 Tremont St: I'm wondering if we can get a response to the lot sizes, why it's zoned for R-20 and it's going down to R-12. I don't believe that the applicant has addressed that. Thank you.

Alan Bongiovanni: Actually I believe our whole presentation was about that. We started at the beginning by explaining that it was R-20, we are asking for this special permit for the R-20 open space, I read the section of the regulations that starts that, talked about how R-12 size lots are permitted in the R-20 open space, and the (inaudible) of the open space so that you don't lose lots by doing it, but you do preserve the important open space. That is what we are proposing here.

Chairman Pane: Thank you for reviewing that again. Is there anybody else from the public wishing to speak? At this time we will go to the Commissioners who have received the applicant's report, staff report, we have heard from the public. The Commissioners if they feel comfortable, if they have gotten all of the necessary information and they are not anticipating any new information, whether or not they feel comfortable closing the public hearing.

Commissioner Haggerty: I would prefer to keep the public hearing open, just for additional deliberation. That's just my thought.

Chairman Pane: Okay. Any other comments from the Commissioners?
Commissioner Havens: I have to agree with Commissioner Haggarty, I don't see an issue with us getting some more information and having a little more time to digest everything, so I am in favor of keeping it open for now.

Chairman Pane: Are you requesting any certain information, because if you are, then we need to actually request that information.

Commissioner Havens: Nothing I can specifically think of right now, I would just like a little more time to look it over, personally.
Commissioner Woods: I'm fine with closing it, I don't have any more questions, I think the applicant has done everything in his presentation to give us enough information to move this forward for deliberation. I'm comfortable with closing the public hearing but again, I'll go with the majority of the Commission.

Commissioner Gill: As far as the wetland, when is that wetland report going to be?

Chairman Pane: The Wetlands report isn't completed yet, so we are not going to act on it, but the question we have in front of us right now is, do we close the public hearing? Are we anticipating, are you, do any of the Commissioners have, are you requesting any additional information from the applicant or staff that is new information for a reason to leave this open. We're not going to be able to act on this under Old Business because Wetlands hasn't acted on it yet. The whole question in front of us is if you have information that you would like to request from the applicant or the staff that is new information, then we should leave it open for the public so that they have a chance to comment on it. If there is no information that is being requested from the applicant or the staff, then I don't see a reason why we can't close this petition. I hope that answers your question.

Commissioner Gill: Okay, just quickly to Renata, for the second emergency entrance to the cul-de-sac off of Allston, is that something that you are still discussing or is it a dead issue?

Renata Bertotti: To my knowledge that has not been discussed and that was not an issue at all. The particular consideration, the particular conversation with regards to our preference to access off of either Church or perhaps Allston road has to do with the length of the meandering to get to Rock Lane access and then the Fire Marshal has expressed his preference, you know, his preference also has to do with, when they are called in an emergency, on an emergency call they go through the neighborhoods with sirens, and when they do that, you know, there may be people complaining because there is noise, there is a bunch of cars driving through, so it is more the matter of preferences and conveniences and expedience than anything else. The Town Engineer has also commented to that again, with the same kind of view point, it's just closer and easier to get here if you don't have to meander through all these neighborhoods to get here. So that is how that came about, it is not about an emergency access, I don't believe that the Fire Marshal has a need to have an emergency access here, the cul-de-sac seems to have the property to have the emergency vehicles to get in and out, and the number of houses here does not require yet another exit. We can have, if this is something you want more information on, we can have the Fire Marshal provide us directly.

Commissioner Gill: No, we have already talked about it, and he has already looked at it, then I'm fine with it. The deeded property, just to be, we're only going to have one access and that will be off of Church Street, or does this, the deeded property go to, can there be access to that space off of Rock Hole?

Chairman Pane: Are you talking about the lot that is on Church Street?

Commissioner Gill: No, the open space that is deeded property that is going to be deeded to the town, to get on that property.....

Renata Bertotti: I believe the applicant can answer this, but there is also ability to access this off of Rock Hole Lane, right in this section.
Commissioner Gill: Okay, so the two pieces of property are going to tie to each other, and we will be able to access it, in that area there, and Church Street.

Erik Hinckley: I don’t believe the parcels actually connect and the applicant speak to that. They are two separate parcels.

Commissioner Gill: Well, he said that they were going to tie together, they were going to make it together.

Alan Bongiovanni: Mr. Chairman, if I could clarify, there are two separate two parcel issues. The reason why the application talks about the Church Street property at 321 Tremont Street, and that is what I thought Mr. Gill’s earlier questions and comments were. Along the back of the properties, on the western edge of Tremont, there is a separate parcel. That is what I was talking about being merged. The, there are two open spaces proposed. The larger parcel with the significant frontage at the new Rock Hole Lane extension, that is 5.2 acres and then this piece, and this was asked by the Town Engineer if we could consider instead of a Conservation easement deeding this to the town. The two aren’t going to connect and I don’t know that is really appropriate to do that because you are going to have people walking really close to both the backyards of the houses that we are proposing, and then the backyards of the houses on Edwards Street.

Commissioner Gill: Okay, as long as there is access on Rock Hole, I’m all set. Thank you very much.

Commissioner Trister: I want a little more information if it is possible, is the issue of sidewalks. I really wasn’t sure if there was a resolution on that, if that is something we can grant a waiver on, or if we shouldn’t grant a waiver, I mean, personally I think we should have sidewalks, and I understand that they go to nowhere there, but that is the only thing. If we are keeping it open, I would like a little more information on that, and how we can resolve that.

Chairman Pane: I believe the sidewalk issue would be a site plan issue, which could always be discussed later. I’ll ask Renata to clarify that.

Renata Bertotti: I disagree, the sidewalk issue is (inaudible) regulation. So, in that regards it belongs in, in my opinion, with the special permit.

Chairman Pane: Okay, would you please fill Mr. Trister in on, try to answer his questions. Basically there are no sidewalks in that area, and in the past we have, at least two or three other small subdivisions, we have not required the sidewalks, is that correct?

Renata Bertotti: That is what I believe has happened and that is what the applicant has applied, and I have found minutes, for at least one......

Chairman Pane: Thank you. Mr. Trister, is that it, or is there something else?

Commissioner Trister: No, thank you, I just had questions on that portion, thank you for the clarification

Commissioner Haggarty: I think at this point my concerns are really site plan specific and not necessarily for the special permit. So I would be fine with closing the public hearing.
Commissioner Wood moved to close Petition 12-22, the public hearing and move it to Old Business. The motion was seconded by Commissioner Haggarty. After a roll call vote, the motion passed unanimously with seven voting YEA.

Alan Bongiovanni: Thank you Mr. Chairman, Commissioners, staff, the next petition we did a presentation that combined them. Thank you, have a wonderful evening.

Petition 13-22: Special Permit (Sec. 3.4.9) to allow interior lots at 359 Church Street and 321 Tremont Street (Rear) Applicant and Owner: AA Denorfia Bldg, & Dev. LLC, Contact Alan Bongiovanni

Chairman Pane: We talked about Petition 13-22, we combined them so we will move on to Approval of Minutes.

Erik Hinckley: Mr. Chairman, do you need to close the Public Hearing for the interior lot. It was a separate hearing.

Commissioner Woods moved to close the public hearing on Petition 13-22. The motion was seconded by Commissioner Drozd. After a roll call vote, the motion passed unanimously with seven voting YEA.

VII. APPROVAL OF MINUTES

Commissioner Trister moved to approve the minutes of the March 9, 2022 regular meeting. The motion was seconded by Commissioner Haggarty. The motion was approved unanimously with seven voting YEA.

VIII. NEW BUSINESS

A. Petition 08-22: Site Plan Approval at 35,67, & 69 Culver Street and 258 Deming Street, Applicant: AR Building Co., Owner: RDTHREE, LLC. contact Bongiovanni Group, Inc.

Chairman Pane: We talked about this under the public hearing, so I’m going to address this under Old Business.

IX. OLD BUSINESS

A. Petition 10-22 Special Permit (Sec. 6.2.5) for a freestanding sign at 3333 Berlin Turnpike (Pane Road Entrance) Applicant: HJG-PC Newington Investor, LLC, Owner: The Rocky River Realtor Co., Contact: Jamie Anderson

Commissioner Haggarty made a motion to approve Petition 10-22 Special Permit (Sec. 6.2.5) for a freestanding sign at 3333 Berlin Turnpike (Pane Road Entrance) Applicant: HJG-PC Newington Investor, LLC, Owner: The Rocky River Realtor Co., Contact: Jamie Anderson.

Commissioner Haggarty moved to approve a free standing sign for the residential entrance from Pane Road at 3333 Berlin Turnpike.
Reason for Approval:

The applicant meets the zoning requirements.

The motion was seconded by Commissioner Woods. The motion was approved unanimously with seven voting YEA.

B. Petition 11-22 Special Permit (Sec. 6.2.5) for a freestanding sign at 3333 Berlin Turnpike (Berlin Turnpike Entrance) Applicant: HJG-PC Newington Investor, LLC, Owner: The Rocky River Realtor Co., Contact: Jamie Anderson

Commissioner Trister moved to approve the special permit for a free standing sign at the commercial entrance at 3333 Berlin Turnpike.

The application meets the zoning requirements

The motion was seconded by Commissioner Haggarty. The vote was unanimously in favor of the motion, with seven voting YEA.

Chairman Pane: The next things that are on the agenda, which are the Petitions 07-22, 08-22, 13-22, and 12-22, due to the late hour, I don’t feel comfortable getting into a lengthy conversation on these applications. I will open it up to the Commission to see how they feel. I believe we should table these until our next meeting.

Commissioner Haggarty moved to table the four petitions for further discussion. The motion was seconded by Commissioner Havens. The vote was unanimously in favor of the motion, with seven voting YEA.

C. Petition 07-22: Special Permit (Sec. 3.19) to allow a residential development in the PD Zone at 35,67 & 69 Culver Street and 258 Deming Street, Applicant: AR Building Co., Inc., Owner: RTHREE, LLC. Contact: Bongiovanni Group, Inc.

B. Petition 08-22: Site Plan Approval at 35,67, & 69 Culver Street and 258 Deming Street, Applicant: AR Building Co., Owner: RTHREE, LLC. contact Bongiovanni Group, Inc.,

D. Petition 13-22: Special Permit (Sec. 3.4.9) to allow interior lots at 359 Church Street and 321 Tremont Street (Rear) Applicant and Owner: AA Denorfia Bldg. & Dev. LLC, Contact Alan Bongiovanni

E. Petition 12-22: Special Permit (Sec. 6.8) for an open space subdivision at 359 Church Street and 321 Tremont Street (Rear) Applicant and Owner: AA Denorfia Bldg and Dev., LLC< Contact, Alan Bongiovanni

X. PETITIONS FOR PUBLIC HEARING SCHEDULING

A. Petition 18-22: Special Permit (Sec. 6.2.5) to allow a free standing sign at 4 Hartford Avenue, Applicant Paul Bianca, Owner: DYZ, LLC. Contact: Jawa Shalo
B. Petition 19-22: Zoning Regulations Amendment (Sec. 6.13 and Sec. 9.1) pertaining to accessory apartments and to opt out of accessory apartment provisions of PA 21-29/SB6107, Applicant Newington TPZ, Contact: Renata Bertotti

XI. TOWN PLANNER REPORT

Renata Bertotti: We can talk about all of this later, the only thing of note that I will mention tonight is that I have submitted an application for accessory apartments and this includes essentially a provision for an opt out proposal that is tentatively scheduled for May 11th meeting and is one the future agenda and that is something that the public probably will have things to say.

XII. COMMUNICATIONS

CCROG Letters

XIII. PUBLIC PARTICIPATION (For items not listed on the agenda; speakers limited to two minutes.)

Rose Lyons, 46 Elton Drive: I know there is not usually back and forth at the end, I'll make this quick, if you could just please tell me whether or not there will be a public hearing or not on the site plan for Culver Street? I got a little confused about that.

Chairman Pane: Site plans never have a public hearing.

Rose Lyons: That's what I thought but because they were together, I remember years ago you didn't do that, and then I got even more confused as the night went on. I guess where you are going with the Church Street project too, but I think you are doing yourself a disservice by closing it to the public. A lot of people that are involved in this have never been through this process before and I think you only add fuel to the fire by closing the hearing when it started at such a late hour of the night, and maybe there were some people that just gave up and just went to bed. Fortunately I don't have to work in the morning and I've been through the Toll Brothers boot camp so I can hang in here with you, but I get it. Good night, and have a good evening. Thank you for answering my question.

Andrew Melnick: I apologize for the late question, but just a concern about the way that the application for Church Street was handled. I know on the prior application it was stated by the Commission to combine all of the hearings. There was no mention that I know of to combine the public hearings. I know we talked about it, we talked about the interior lot, but I don't feel that everybody was possibly given the chance to speak on it. So, just a clarification on that if I could please?

Chairman Pane: I'm not sure how to clarify that, we, the applicant did talk about it, I think everybody, it was brought up, I'll ask the Town Planner if she has any comments concerning your question.

Renata Bertotti: I do not.

Andrew Melnick: Thank you for your time.

XIV. REMARKS BY COMMISSIONERS
XV. CLOSING REMARKS BY THE CHAIRMAN

None

XVI. ADJOURN

Commissioner Haggarty moved to adjourn the meeting. The motion was seconded by Commissioner Drozd. The meeting was adjourned at 12:15 a.m.

Respectfully submitted,

Norihe Addis,
Recording Secretary