Chairman Frank Aieta called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in the Conference Room L101 in the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

I. **PLEDGE OF ALLEGIANCE**

II. **ROLL CALL AND SEATING OF ALTERNATES**

**Commissioners Present**

Chairman Frank Aieta  
Commissioner Michael Camillo  
Commissioner Michael Fox  
Commissioner Domenic Pane  
Commissioner Stanley Sobieski  
Commissioner Stephen Woods  
Commissioner Hyman Braverman-A

**Commissioners Absent**

Commissioner Anthony Claffey  
Commissioner John Bottalico-A  
Commissioner Giangrave-A

**Staff Present**

Craig Minor, Town Planner

Commissioner Braverman was seated for Commissioner Claffey

III. **APPROVAL OF AGENDA**

Craig Minor: First of all I recommend that we add to the agenda Executive Session to discuss the pending litigation? Could we put that early in the agenda, maybe even before Public Participation?

Chairman Aieta: Yes, we’ll put it on as the next item.

Craig Minor: Okay, and then also recommend that you delete Item ten A, Petitions for Public Hearing Scheduling because the application was been withdrawn.

Chairman Aieta: Do you want to move the Newington Ridge?

Craig Minor: Yes, let’s do that also. Let’s move Item, New Business, Item C, Newington Ridge, let’s move that up to right after the executive session so that after the executive session we can come back here and then discuss Newington Ridge in open session.

Commissioner Pane moved to adjourn to Executive Session. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion.
Newington TPZ Commission

The Commission entered into Executive Session at 7:05 p.m. Present at the Executive Session were Chairman Aieta, Commissioners Camillo, Fox, Pane, Sobieski, Woods, Braverman, Town Planner Craig Minor, Attorney Ben Ancona.

The Executive Session was adjourned at 7:33 p.m. and the Commission returned to the regular business on the motion of Commissioner Sobieski, seconded by Commissioner Woods and voted unanimously in favor of the motion.

**Newington Ridge Preserve**

Craig Minor: As everyone knows, at the last meeting the TPZ voted to notify the developer that it was the town's intent to finish the project and it is still the town’s intention to finish the project. The fact is, working out the details and it is the same situation as it was two weeks ago, two weeks further along, but nothing, there has been no change in direction. We're just following the same path that was started two weeks ago.

Chairman Aieta: We are waiting for the thirty days to be up. When the thirty days are up, then action will start.

Commissioner Pane: And the Town Planner will present to the Homeowners Association an update on everything that you are planning on doing?

Craig Minor: Right. A little further along in the process we will be sure that the Homeowners Association is aware of what the Town attends to do, the specific details, which shrub, which catch basin, all of that, to make you aware of what the plan is.

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

Robert Amenta: Good evening, my name is Robert Amenta, Berlin Turnpike, Modern Tire in regards to the auto use regulation.

Chairman Aieta: You have to wait until we get to that item. You can't do that under Public Participation, it is an item on the agenda, so when it comes up, for public hearing you will have an opportunity to say whatever you want.

Anyone else?

V. **REMARKS BY COMMISSIONERS**

None

VI. **PUBLIC HEARING**

A. Petition 14-19: Zoning Text Amendment (Section 3.11.3, Section 3.17.8, Section 6.11 Motor Vehicle Service Uses. Town Plan and Zoning Commission, Applicant.

Commissioner Pane: Mr. Chairman, I'm recusing myself as I have in previous meetings.

Chairman Aieta: Mr. Planner, why don't you go over, go over the changes from this one, there are more than two changes that you made.
Craig Minor: What I, in the memo that I am about to read, what I did was that I started from scratch, I have one paragraph explaining every change between the existing regs and what we are now proposing to do.

“This amendment will allow motor vehicle related businesses by special permit in the B, B-BT, PD and Industrial zones. These activities were allowed prior to 2007 when the TPZ made a number of substantial changes to the zoning regulations.

This amendment is similar to the one proposed by TPZ earlier this year, but without the prohibition on overhead service (rollup) doors facing the street. On the advice of the Town Attorney, a new public hearing is being held on this new version.

1. This version contains two substantive changes to Section 6.11 which have been in effect since 2012.

   a. The one acre minimum lot size for single uses and the three-ace minimum lot size for multi-tenant buildings and multi-building parcels has been eliminated. (Section 6.11.8.)

   This is a new rule that was adopted in 2012 and I can tell you, it has had a substantial impact on preventing additional businesses in Newington. It's been a while now, but for a while I was getting calls every other month or so from someone who wanted to open a business on the Berlin Turnpike and they wanted to open a multi-building, but it wasn't three acres so they couldn't do it. Or they had a nice spot in an existing building on the Berlin Turnpike, but it was less than one acre, so I had to tell them they couldn't do it. So that rule is being proposed to be eliminated, and the prohibition on the overhead doors is being proposed to be eliminated. That has been on the books since 2012 and I don't know how onerous it has been, but that is being proposed to be eliminated also.

2. This version contains the following changes that were suggested during the March and April public hearings on the previous version.

   a. Section 6.11.2 was modified to allow the replacement of minor parts such as batteries and windshield wiper blades outside of the building.

   b. Section 6.11.4 was revised to make "church" more inclusive.

   c. Section 6.11.4 was revised to allow temporary parking of customers' cars in the front yard or right of way.

   d. Section 6.11.7 and 6.11.8 were revised to delete references to two Connecticut state statues that were repealed several years ago.

3. This version (like the one proposed as Petition 03-19) Contains the following changes to Section 6.11.

   a. The second paragraph in Section 6.11 has been revised to specifically state that new car dealers and used car sales are both allowed. I added this because the current language is ambiguous. As I have said previously, I believe the TPZ can adopt language that allows one of these activities but not the other, if desired.

   b. The phrase, Auto related uses, motor vehicle service uses, and equipment in Section 6.11.1 was changed to simply, "All structures and equipment". The existing phrase is ambiguous and implies that nothing associated with a motor vehicle activity could be within 30 feet of the street.
c. The phrase, “Auto related uses and motor vehicle service uses which include repairs” in Section 6.11.2 was changed to simply “All repairs.” The existing phrase is ambiguous and implies that nothing associated with a motor vehicle activity could be within 30 feet of the street.

d. The phrase, “Entrances and exits for auto-related uses and motor vehicle service uses” in Section 6.11.3 was changed to simply, “Entrances and exits for any use approved under this section” to be consistent with the changes to similar language in Section 6.11.1 and Section 6.11.2.

Chairman Aieta: Can you give me an explanation on (c), 6.11.4, parking in the right of way?

Craig Minor: That came up during the public hearing, someone mentioned that if we were to enforce that rule exactly as it is written, once a car is finished and ready for its owner to pick up, it couldn’t be left parked for a few minutes in the front yard, as the rule prohibits that as originally written, so I’m suggesting that we revise it so that a reasonable about of time that a car could be waiting for someone to come and pick it up.

Commissioner Sobieski: You are referring to private property, not state or town property?

Craig Minor: Correct.

Chairman Aieta: Any other questions from the Commissioners?

Commissioner Fox: Maybe I’m missing something, but paragraph 3A...

Craig Minor: Of the amendment itself?

Commissioner Fox: Yes, states that new car dealers and used car dealers are both allowed.

Craig Minor: Which section, I want to pull it up on the screen so everyone can follow you.

Commissioner Fox: 3A

Craig Minor: Of my memo?

Commissioner Fox: Yes. We’re talking about, the second paragraph, new car dealers and used car dealers are both allowed. I hope we are not saying that a used car dealer........

Craig Minor: What I have done is to put both of those items on the table, and you can choose which one you want, which one you don’t want, both of them, neither of them, they are there for you to decide which ones you want.

Commissioner Fox: I can tell you right now what I want. I personally do not want to see, number one a quote, unquote used car dealer. One that only sells used cars, and I know a new car dealership will take trade-ins, and if they don’t wholesale it, they will have them on the lot, which is all well and good. Anything that get on a trade, they are going to make sure it is looking good, and you are not going to have them sitting in front, anywhere, with hoods open, big placards in it, big wavy signs, pennants on the antennas, not that you have antennas any more, those are the things I would like to prevent.
Commissioner Woods: Following on that, along the same lines, if we did do that, then like CarMax would not be allowed, because CarMax does not sell new cars, maybe some new cars, but they are a used car dealer, that's what they are.

Craig Minor: Right, they would not be able to.

Commissioner Woods: I think that is something that we would like to attract if possible, specifically for the Berlin Turnpike. We have sign regulations to stop banners.

Commissioner Braverman: We have regulations to stop the banners, streamers, they just have to be enforced.

Chairman Aieta: Any other comments?

Commissioner Woods: I think the Planner did a pretty good job of listening to the comments, to the Public Hearings that we had and he addressed them all, and I guess we are going to find out, probably in the next few minutes, if the public thinks you did as good as I do. Thank you.

Chairman Aieta: Any other comments? I'll open it up to the public. Anyone from the public wishing to speak in favor of this application?

Robert Amenta, 3455 Berlin Turnpike, Modern Tire: First off, I just want to align the memo with the proposed regulations, because in the memo it states that there are going to be repairs which would be allowed like wiper blade replacement or batteries, yet in the proposed regulations it doesn't say that at all, under 6.11.2.

Chairman Aieta: Say that again Bob

Robert Amenta: Under 6.11.2 it states, in the memo, it is stated that there were going to be minor repairs that would be allowed, like battery replacement or wiper blades, yet in the actual proposed regulations, it does not state that. It just says all repairs shall be entirely within a building at least 30 feet from any street right of way line. That is in the proposed regulations under 6.11.2 and in the memo it states under 2a it says Section 6.11.2 is modified to allow the replacement of minor parts such as batteries and wind shield wiper blades outside of the building. I just want them to be aligned properly.

Craig Minor: I was looking to get it so that I could display it on the monitor so I wasn't listening to you but I'll go back and look at the minutes.

Robert Amenta: In the memo, in your memo it states in paragraph 2a, Section 6.11.2 was modified to....... Craig Minor: Right, got it. It should be 6.11.4.

Robert Amenta: That's not the issue, the issue is that when we look in the proposed regulations it doesn't state that.

Craig Minor: I understand what you are saying now.

Robert Amenta: It just says all repairs shall be within the building, so all repairs also include minor repairs. It doesn't say.......
Craig Minor: That is a typo on my part because I remember drafting a version that specifically said that but I think it just didn’t get into the final version, so, okay, your point is well taken.

Robert Amenta: Somehow that has to be in the regulations. In regards to the used cars and the way that they would, a lot of people feel they may look, as far as display, I think the best way to protect against it is the way that Commissioner Camillo had mentioned, and that is that there are regulations to make sure there aren’t signs, banners, and to have used car dealers and add new car dealers and not have the ability to display the vehicles in the front yards, I don’t think it is going to work. They need to have a front yard display. From a business standpoint it doesn’t make sense to have a facility, and we’re talking about how large a front yard is I guess, but a lot of these front yards are pretty large. As far as customer cars, something you might want to protect against is, you don’t want customer’s cars that are in states of disrepair parked out there, so I think you need to be a little more stringent in regards to that.

In Section 6.11.6 I have a comment regarding the façade of the building shall be a combination of brick, split face block or dryvit. Can we make that the road facing façade since there could be different facades on a building depending upon you know, if it is on a corner or some people consider the back of the building also as a façade. So it would really just be the road facing façade that you would be (inaudible) materials.

Striking 6.11.7 to remove the overhead service doors, I have a question. Would that mean that any number of service doors would be allowed? Right now on my facility we have ten service doors. If I wanted to add on, could I have fifteen service doors facing the street? Could I have twenty service doors facing the street? Is there a limitation on that?

Craig Minor: No.

Chairman Aieta: I think we are going to require, if we allow the service doors to face the street that they be closed. You drive a car in, and you close it. Repairs are done behind a closed door, not where you drive by and you see inside the building where they are repairing. Know what I’m saying?

Robert Amenta: Yes, that would be a burden on existing uses like myself and Turnpike Motors, especially during the weather when it can be 100 degrees. You would have that sun beating down right inside the garage bay doors. We have been here for years, been tax payers for years, operating a clean facility and employing people in the town for years and years, so that would require us to change our structures and interior of our buildings to abate the heat that would be occur with closed garage doors.

Chairman Aieta: I know that we did at Wal-Mart, their auto repair, because it faces a residential area, they put air conditioning in so that they could keep the garage doors closed. The doors are closed, they are not open all summer long.

Robert Amenta: I understand that for a new use that is going in, that is going to get approved under these regulations, but for existing use, I thought what we were trying to accomplish was to make the existing uses conforming and there were existing uses out there that had bay doors that had no air conditioning in their facilities right now.

Chairman Aieta: We can’t have separate regulations for existing and what comes in new.....

Craig Minor: No, but I didn’t follow his point.
Robert Amenta: My first comment was, we have bay doors that face the street, we have ten that face the street right now. So if I wanted to add to my building, could I put fifteen bay doors, twenty bay doors in the front? Is there any limitation to that?

Craig Minor: No.

Robert Amenta: Okay, so no limitation, and then during the discussion was, well maybe if you have a lot of bay doors, the doors should be shut, and I said that would put the onus on existing uses that already have bay doors because then we would have to air condition our buildings, or somehow modify them so that the heat wasn’t a burden on our employees. We are at this discussion right now.

Craig Minor: Okay, so back up a couple of sentences. Why would anyone tell you to keep some of the doors closed?

Chairman Aieta: I was just saying if we are going to allow the doors to face the street, one of the big objections is that when you drive by the doors are open and you see the inside and hear their activities, and that is objectionable to some people.

Craig Minor: Right and that is why for five years we had the rule that you couldn’t have an overhead door facing the street. We just have to decide.....

Commissioner Woods: Let me ask a question and try to get us an answer. Modern Tire has ten doors right now, those doors can be open. He adds on to his building, adds five more doors, the new regulations are in place, the new doors now have to be closed.

Craig Minor: Why do they have to be closed?

Commissioner Woods: The new regulations are going to say that.

Commissioner Woods: Oh, I see. That would be very difficult, that would put a real burden on the ZEO because then he would have to go around town and identify every existing overhead door that faces the street because then those, you can’t make the owner open and close them, but the new ones would have to stay closed which would be a nightmare. I would not recommend such a rule.

Robert Amenta: In one of the previous meetings I had made a recommendation that for the garage doors that any validly approved existing use that was present, they have bay doors facing the street, they could not add additional bay doors to the street, but those doors can stay open if they were validly approved by this Commission at some point in time. So in my instance, if I wanted to add onto my building I could only keep my ten bay doors that I have facing the street. If I wanted to add five more bays, I would have to add them around the back and those back doors are where I would enter those bays, or drive through, whatever, but my ten bays on the front I can keep open. In that way it would be easier for the Zoning Official to monitor it, you would say, you know Modern Tire, every bay door would be open and they added on and they have five more bays those are all in the back, don’t worry about them. It would be like Turnpike Motors, they are all set because their bay doors are there. But if you get a brand new use, ABC Company comes in and they open up a garage and they’ve got bay doors facing the street, then those doors have to be shut. If that is what the Commission chooses to do.
Just one other item, there was, one of the regulations said any structures should not be within thirty feet of a street right of way, something like that, the only thing that we haven’t addressed or mentioned is electric charging stations. You know, as we move forward, with electric cars and whatnot, I do see a lot of the charging stations, and they seem to be close to the street in certain areas in the towns that I see, so I don’t know if that is something that you should take into account in regards to the positioning of those for the future. Thank you.

Chairman Aieta: Anyone else wishing to speak in favor of this application? Please come forward, state your name and address for the record.

Amy Suchen: Representing the owners of the Firestone property as you are all aware. Two things, one, I want to incorporate the previous record, the comments that I had made with respect to the residential zone. Again, the idea that there are a number of properties in Newington that is the goal of the regulations to meet. These changes to bring more properties into conformity, that issue of eliminating the proximity to the residential zone does allow that. And then, in respect to the question about the limitation on the bay doors, I think again you are creating a zero point. Your original regulations included a ban on the bay doors, would prohibit bay doors facing the street and now your regulation would allow bay doors facing the street and frankly the discussion that you are having right now is another change to that, but I think would arguably limit some of the rights of the property owners, and you may run into another (inaudible) issue with respect to trying to change and by including the limitations on bay doors now that you have taken it out, you could affect more property owners who may have an issue in respect to trying to change, you could in fact affect the property owners who may not have cared about what was going on with the doors, so I would encourage you to bring up that issue if you are going forward that way with the Town Attorney. Otherwise, I will be happy to answer any questions.

Chairman Aieta: Any questions?

Craig Minor: No. At this point I have an e-mail from Attorney Hollister and he asked me to read it into the record. It is very brief, well it’s not that brief; it’s a paragraph.
To the Newington Town Planning and Zoning Commission: As you know the Firestone Auto repair facility at 2987 Berlin Turnpike was constructed with five overhead service bay doors facing, and in close proximity to the rear or side yards of four single family homes on Main Street. If the Commission is considering amending or eliminating from the auto use regulations the provision (currently 6.11.7) about overhead doors facing a public street, I strongly suggest that the Commission clarify that such overhead service doors should not be permitted facing a residential zone. This is an important protection of home owners, and is consistent with provision that is proposed to be retained in the revised regulations, prohibiting an auto use within 100 feet of a residential zone. The regulation could read: “Overhead service doors shall not be permitted facing a residential zone.” Thank you. Attorney Tim Hollister, Shipman & Goodwin.

This would not allow the doors that we currently have on the back of the Firestone building because those face a residential zone.

Chairman Aieta: Okay. The last attorney, are we in compliance with the proper procedure as far as the changes (inaudible)

Craig Minor: Like you said the last time, let’s do a straw poll and if the majority of the Commissioners do want to adopt a more restrictive overhead door regulation then Attorney Suchens is saying that that should be re-noticed........
Chairman Aieta: Say that again.

Craig Minor: Okay, so the regulation that was advertised would allow overhead doors, just like the old days. But what we are hearing tonight is that Commissioners are saying well, maybe we should put some restrictions on overhead doors, maybe we should require them to stay closed at all times. What Attorney Suchens is saying is that if that is the direction you end up going, if you end up adopting a regulation that puts limitations on overhead doors, which is not what was published......

Chairman Aieta: Okay.

Craig Minor: That we should start over again with a new version that warns the public that overhead doors will have to stay closed, they are allowed, but they would have to stay closed.

Chairman Aieta: It's been a precedent in the past that we have forced an applicant to put in air conditioning because they were too close to a residential zone, and keep the doors closed, the Wal-Mart tire center in the back. They air conditioned that center so they comply with not having the doors open all summer long. It was a condition of their approval. If you want, you could pull up the application when it came in and you will see that was part of the application. I remember that vividly.

Craig Minor: I think you should complete the public hearing and end up hearing what the public has to say and once the public has finished speaking you can discuss among yourselves whether you want to go with a more restrictive overhead door regulation. If it turns out the majority of you do, then we should start over with a regulation that clearly says overhead doors will be allowed, but they will have to stay closed.

Chairman Aieta: And we will have to go back and re-advertise it too.

Craig Minor: Yes, I'm saying in this situation, yes. I don't know if we would always need to, but in the future if there is an amendment that is closely watched by parties that feel very strongly in different ways, then maybe we will have to take the time in the future.

Chairman Aieta: What if I said under 6.11.4 temporary parking of customer's in the front or right of way, that I was against that, would we have to go back out again?

Craig Minor: Which one again?

Chairman Aieta: C, C under 2. This is on your memo.

Commissioner Woods: I don't think that is the issue that is causing all of the.....

Chairman Aieta: That might not be the issue, no, the issue is the garage doors. We want to put conditions on allowing the garage doors and you can’t, we would have to re-advertise it.

Commissioner Woods: I think we need to make the decision on what we think is best for the town. We’ve got two sides here, I think we just need to decide what is best for Newington.

Chairman Aieta: I don’t want to get caught in a procedural thing where we make a decision and then we get an appeal from one of the aggrieved parties and then we have to start all over again.
Craig Minor: I’m afraid that 6.11.2 which is what I think I posted with the town clerk doesn’t say what I meant it to say because when you read something you thought you had corrected, it doesn’t say what you meant it to say, so maybe we should start again.

Chairman Aieta: We’ve got to get it right, I mean, we’ve been playing with this for months, and another month isn’t going to make a difference because if it isn’t right, it isn’t anything.

Commissioner Fox: I agree. We’ve been going through this.....

Chairman Aieta: Everytime we look at it, we come up with more......

Commissioner Fox: And we have here, the Town Planner overlooked the 6.11.2. I think if we do want to allow some type of repairs outside of the building, we do have to change that, so we are going to need another public hearing. As far as the overhead doors are concerned, again, I think we are going to prohibit the doors from being open facing the residential zone, I don’t know, let’s try......

Chairman Aieta: At the last meeting the Commission was overwhelming that they wanted garage doors, so that issue, as far as I’m concerned, now we need to know if we want to put any conditions on that.

Commissioner Fox: Let me ask a question of the Town Planner. If the overhead door facing the street are permitted, can a condition be made in a specific case, let’s say, we do have an application for a repair shop or whatever where the overhead doors would be facing a residential district, or residences. Can we apply a condition that says, in that one particular case the doors must stay closed?

Craig Minor: That is a good point. Yes, I think that is exactly the type of special condition that you can put on a special permit activity for an applicant who wants to put an auto related use right across the street from an apartment building, or some place versus another, the exact same type of business in the industrial zone, across the street from a factory. Yes, you could definitely impose more, such kind of restriction, such as the doors must stay closed on the business that is across the street from the apartment building, but you wouldn’t impose that on the one cross the street from the factory. You have that discretion when it is a special permit, as these are.

Commissioner Fox: Thank you.

Commissioner Soboieski: That is what we did with Firestone. The residential side can only be open when vehicles go in or out and must be closed due to the noise issue. That is still valid, we could do that, is that what you are saying?

Craig Minor: Yes, if your regulation doesn’t automatically require it, in all cases, then you could impose it on a case by case basis. In which case, the regulation shouldn’t say that in all cases the door should be closed, because then you don’t have the flexibility to allow it in some cases and not in others. It would have to be in all cases, but if you don’t address it at all, but do choose to impose it on a case by case basis, you could do that if it was reasonable at that location.

Commissioner Woods: In Section 6.11.5, there is a hundred foot buffer between residential zones and auto related uses. I think we are kind of taking care of it and I think what you just said makes an excellent point that we have, if it is abutting up against an apartment complex
or a nursing home, there would be a level of service between closing the doors or adding a landscaped buffer, we have that ability, correct?

Craig Minor: Yes.

Commissioner Fox: At the same time, I hate to be a pest about this, but let's get back to the signs. We built the regulations on temporary signs, permanent signs so that we will have the ability, let say we do wind up with new statutes about dealerships, that they would be able to have their cars out front. We will be able to put a condition on that that they have to come to us if they want any signs outside of the normal.

Craig Minor: Yes.

Commissioner Fox: Okay, thank you.

Chairman Aieta: Anyone here wishing to speak in opposition to this application? Seeing none, we will keep this open.

Craig Minor: Yes, it looks like the consensus is not to require overhead doors to be closed, so there is no need to......

Commissioner Woods: What about Section 6.11.2? I don't think it warrants it, but.....

Craig Minor: I'm not going to recommend that you re-advertise for that. Keep the hearing open, again, make it clear that the owner of the business has the right to replace the windshield wiper blades in front, and that way we can (inaudible) the rule that auto repairs must be done inside the building, which was my intent. I will give you the correct language at the next meeting, we can continue the public hearing and you can make your decision then whether to close the hearing......

Chairman Aieta: Leave it open and we'll go on to the next item.

Commissioner Pane returned to the table.

VII. APPROVAL OF MINUTES

Commissioner Sobieski moved to approve the minutes of the May 8, 2109 Regular Meeting. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with seven voting YEA.

VIII. NEW BUSINESS

A. Petition 18-19: Site Plan Modification at 80 Fenn Road, 80 Fenn Road LLC, Owner, Montana Nights, Applicant, Merle McKenzie, 80 Fenn Road, Newington CT, Contact.

Craig Minor: I have no new information.

Chairman Aieta: I don't see the applicant here either, so we will move on to the next item.
B. Petition 19-19: POCD Update, Town Plan and Zoning Commission, Applicant

Craig Minor: This is a standing item, so I can give you an update on the POCD. The Town Manager is on vacation, but the acting town manager relayed to her our request to use the tax mailing to notify Newington residents about the workshop and the answer came back that the Town Manager did not want to do that. She will be back from vacation tomorrow, I can talk to her about it, but when I discussed this with Glenn Chalder, he said well, actually maybe it is just as well we don’t use the tax mailing because if the first notification that people have about the POCD is when they get their tax bill, and they are in a bad mood, maybe that is not the time to ask them to come to a workshop meeting. That was one point. The other point is we are still going to do those signs that Glenn brought to the meeting the other day. We will put those signs out a couple of weeks before the meeting which everybody will see and everybody who cares will know and will come. So, if the Manager makes the decision to not use the tax mailing, we have other ways to get out the word. Oh, a post card would cost many times as much, it will cost thousands of dollars.

Chairman Aieta: I don’t see the logic behind that. If you get the tax bill, and oh, I’m mad, so I’m not going to the meeting, number one. Number two, we talked about this when we did the last plan and it was the consensus of the whole board that we put a notice in the tax bills. At the time there was no objection from the town, from anybody, as to why we couldn’t do it. I reached out to Carol to talk to the Manager and get some kind of an answer as to what is her rational as to saying why we can’t, is it cost, is it staff, it’s always that she doesn’t have enough staff, they are too busy. This is something that is really important, we’re not going to be able to get to the public the information that we are doing this with lawn signs, you have to put it in front of them. Everyone will have the opportunity to see that we are doing something. If they choose to come, great, if they choose not to come, they were notified. We can’t be put in the position where people read about it and say, you made that change, we didn’t know about it, how come we didn’t know about it? We have a vehicle to do it. It’s less money, what was the cost of doing our mailing?

Craig Minor: $7,000.00

Chairman Aieta: $7,000, what was the cost of putting a stuffer in the ..... Craig Minor: $700.00

Chairman Aieta: $700.00, come on now. $700.00, I’ll give you the $700.00. Put the thing in, if it’s the money, I’ll put the $700.00 in if that is the case. Bring it back to the Manager, I want this thing, that the people in the Town of Newington have an opportunity to know what the hell we are doing. I need an answer as to why she is stonewalling this. Doesn’t make sense!

Commissioner Pane: Mr. Chairman, I agree and I think it has to be in a notice and I know at our meeting we want to make sure that everybody has it, so I think this would be a vehicle that people talked about ten years ago, and so I would agree with you that this is something that should be done very ten years.

Commissioner Braverman: This is a comment, some of the other unintended consequences which will eventually be, it will eventually be on Facebook, it will be on social media anyway. People will come and people want to discuss this. It’s going to be an issue and with the social media frenzy that is out there it will be out there, people will come, people will want to hear about it. There will be a lot of false rumors spread, it will be a good time for us to explain correctly.
Chairman Aieta: (Inaudible) I mean, you are talking $700.00 This will go in the motor vehicle tax bills.

Commissioner Woods: If a car is leased, the notice will not go to the homeowner. The same as it going to the mortgage company. My point is, if you have a mortgage, the notice will go to the bank, it’s not getting there, and then the issue becomes, I didn’t get one. You didn’t mail it to me.

Chairman Aieta: We will have social media, we will have signs, you have to take some action notifying the residents, and that is the problem with government, you talk about transparency, we don’t make it transparent. This is a way to do it. I just want an answer from the Manager what the objection is. I don’t even know what she is objecting to. I want to know that. If there is a good reason, then I will back off, but I don’t see any.

Commissioner Woods: Make a request of the Council then.

Chairman Aieta: Carol will be talking to the Manager hopefully, the Planner will be talking to the Manager and hopefully we will get an answer one way or the other. We need to get notification or we will be at the mercy of a public that is not informed.

Craig Minor: You all got the slip of paper and the envelope from Glenn for other ideas from people that he should interview?

Commissioner Pane: Mr. Chairman, I have a problem with him interviewing people outside of a public hearing. We don’t know what they are saying, so we have no idea, I mean, this all should be done in a public hearing is my opinion.

Chairman Aieta: Any comments on that?

Commissioner Pane: Because we’re not in a public hearing over the POCD, if he is going to interview different people from the town or citizens, or whatever, we’re not going to know what was transpired between both of them. I mean, that is what the public hearing is for, is to gather that information, the thoughts of the public. I think for him to do it outside of the public hearing is inappropriate. That’s my opinion, but……

Craig Minor: It’s pretty customary for the consultant to be talking to department heads, elected officials, to get all kinds of information from people. He is going to spend many hours gathering information on the Town of Newington. To try to do all of that at a public meeting at night, make everybody sit through his conversation with say the dog catcher, I’m not sure that is the most efficient use of everyone’s time. I didn’t mean dog catcher, I didn’t mean to be flippant, but my point is, I don’t know if it is a really good use of time.

Chairman Aieta: Any other Commissioners feel that way or think it’s fine……

Commissioner Woods: It is going to come back to us, he is going to compile it and will share that with us. I understand Commissioner Pane’s issue with it, I get that, but I just think, it’s not going to happen, you aren’t going to get all of those people here so you need to kind of reach out to people who will have a conversation with you, but won’t come to this meeting to express their views.

Commissioner Pane: So I would ask that he keep track of the questions that, the comments from people, keep track of all of the comments so that he could present it to us then. One of the reasons that we went with Glenn is because he knows the town already and he already
did it, so, but if he does talk to people outside of the public hearing he should be able to provide us with comments.

Commissioner Fox: I would think that he would without going through all this. I'm sure he's not thinking of talking to people and then just.....

Commissioner Braverman: I think I remember when he was here he also said that he uses social media and so if that is the case, he's going to get more feedback and maybe more interesting feedback that he will present to us. I think there is going to be a lot of discussion.

Commissioner Sobieski: I agree with Commissioner Pane and everybody else, we want to know what is being fed back. As long as he has some type of, a series of questions, I don't know, as long as they are the same general questions, whatever, but you need to get different views. A lot of people are working two jobs and they don't have time. I don't know how you reach out to them, by phone, my mail, by e-mail, whatever, but let's give the public as much of an opportunity as we can to weigh in on this.

Chairman Aieta: Anything else?

C. TPZ Discussion of Window Signs

Chairman Aieta: We can hold off until the next meeting.

IX. OLD BUSINESS

A. Petition 03-18 Zoning Text Amendment (Section 3.11.3, Section 3.17.8, Section 6.11 Motor Vehicle Service Uses. Town Plan and Zoning Commission, Applicant.

Commissioner Camillo moved to withdraw Petition 03-19: Zoning Text Amendment (Sec. 3.11.3, Sec. 3.17 and Sec. 6.11) : Motor Vehicle Service Uses. Town Plan and Zoning Commission, applicant.

The motion was seconded by Commissioner Fox. The vote was in favor of the motion with six voting YEA and one abstention (Pane.)

X. PETITIONS FOR PUBLIC HEARING SCHEDULING:

A. Petition 20-19: Special Permit (Sec. 6.13: Accessory Apartment) at 22 Broadview Street, Adela and Matthew Neil; Owner Adela Neal, Applicant, Matthew Neil, 23 Broadview Street, Newington CT, contact.

Withdrawn

XI. TOWN PLANNER REPORT

None

XII. COMMUNICATIONS

Commissioner Sobieski: I sent the last one out from CRCOG that everybody should have gotten. It's the update.
Audience: You skipped the discussion of window signs.

Chairman Aieta: That was Anthony Claffey's and he is not here tonight, so we decided that we would wait until he is here.

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

Chairman Aieta: You are here from the library I'm assuming? What happened to that? Were they supposed to be here?

Craig Minor: I don't have any information on that.

Chairman Aieta: Do you have something you want to bring forward?

Audience: No, no we're just here to see how this works, we expect to be in front of you soon.

Chairman Aieta: Okay, very good.

Rose Lyons, 46 Elton Drive: I came up for the discussion on window signs, was it taken off the agenda in the beginning? I missed the first few minutes, so just curious? Was it removed from the agenda?

Craig Minor: We didn't officially remove it, but when we got to that item it was skipped over because the advocate for it is not here tonight.

Rose Lyons: Maybe, instead of us interrupting you from the audience, maybe you could have just said that Mr. Claffey is not here but he is the one that requests that this discussion be held?

Chairman Aieta: Yes, he is the one that brought up at the last meeting, he asked that we have a discussion. He brought in some pictures from different areas where you couldn't see inside the stores because the windows were blocked by signs. He wanted to discuss it. My recollection is that we discussed it before and it was the consensus of this Commission that there was not too much you could do about it because we don't regulate what is inside the window. He wants to have a discussion about it, and it's his prerogative so we will do that.

Rose Lyons: I understand that, I've been here for a few meetings, and watched from home and I know the discussion has been had and I was just wondering if there was new information on it. Was there any talk at any time of asking the Police Chief what he opinion is?

Chairman Aieta: We discussed it before, we got information that......

Rose Lyons: One last question, do I complain to the Town or to the DOT about signs that are in the right of way.

Chairman Aieta: On the Berlin Turnpike?

Rose Lyons: Anywhere in town. Main Street......

Chairman Aieta: You can report that to the Zoning Enforcement Officer.
Craig Minor: You can do both. If you refer it to the ZEO he will call DOT. If you call DOT directly, they will be happy to do it, but either one would work.

Rose Lyons: I agree that the public has to be informed, whether it be through a mailer where you get some of them, on Facebook you get some of them, Rare Reminder, Town Crier, quite honestly, and I said it before, I’m tired of people saying, oh I didn’t know about that. Behind a keyboard saying, oh, TPZ, they should have done this, or they should have done that, get up here, put your face up to the mike, and say what you have to say. I feel that way you people are going to know what people are saying. I’m sure you don’t monitor Facebook to see what the ideas are that, within the last couple of weeks, why aren’t the lights on in the center, what’s going on at Mill Pond Park, and all kinds of speculation of what is happening when all they had to do was pick up the phone and call someone and ask.

Chairman Aieta: When we talk about the 2020 Plan and social media, there is so much misinformation out there, that is the only way we have of letting people know what is going on. That is why I want this mailing.

Rose Lyons: Quite honestly, unless you have a hot topic item, like the last time you had Save Cedar Mountain, when we had to move from this room to the gym, then outside in the heat, I don’t see it happening.

Chairman Aieta: We still need to hear from people.

Rose Lyons: You don’t want to hear that you aren’t, thank you for the effort that you are making.

XIV. REMARKS BY COMMISSIONERS

Chairman Aieta: Just one thing, if in the future the library and Hart Lane come in, I think it would be good to have the Town Engineer here for that one because there is, from what I understand, there is drainage and design problems and I want to make sure that we get all the necessary information if they did come in. Thank you.

Chairman Aieta: That is something that is on the horizon?

Craig Minor: I believe so.

Chairman Aieta: Any other Commissioner remarks?

Commissioner Fox: Yes, I saw on the calendar of events that the service, the Memorial Day Services usually upstairs in town hall, were going to be in the auditorium. That is not true. I was talking to the committee just before coming in here, it’s going to be, for the people who are watching and want to attend, it’s actually going to be at the Mortensen Community Center. So, I don’t know who has to correct that. Thank you.

XV. CLOSING REMARKS BY THE CHAIRMAN

None.
XVI.  ADJOURN

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Fox. The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary