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 Anthony Claffey
Commissioner Michael Fox
Commissioner Domenic Pane (7:25)
Commissioner Stanley Sobieski
Commissioner Stephen Woods

Commissioners Absent

Commissioner John Bottalico-A
Commissioner Hyman Braverman-A
Commissioner Giangrave-A

Staff Present

Craig Minor, Town Planner

Chairman Aieta: Commissioner Pane said that he was on his way, so if he doesn’t show and Commissioner Braverman shows up, we will seat him.

III. APPROVAL OF AGENDA

Craig Minor: No Changes

Chairman Aieta: No changes from the Commission, anything?

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

Peter Corsolino, 309 Candlewyck Drive: I’ve been a resident of Newington for twenty-five years. I’m also the Executive Director of the Newington Chamber of Commerce. I’ve heard that there has been on the agenda for several weeks an idea about signage in windows, and I wanted to know a little bit more about that. There seems to be, the TPZ is looking to pursue some type of regulation and I’ve actually done some work within the town center, just looking at what that impact would be on businesses, and I’m very concerned that no one has talked to the Chamber of Commerce about it.

Chairman Aieta: It’s been on the agenda, one of the Commissioners brought it up as an item that they wanted to discuss. We have had some little brief discussions on it, it seems to be
that there is not, we don’t have the interest, the Commissioners don’t have the interest in making changes to that regulation. It’s too unwieldy to try to regulate. We do have an informal regulation that, it’s not even a regulation, it’s, to have some stores where they plaster the windows and you can’t see inside. Our Zoning Enforcement Officer has gone to some of the merchants and said, you really should take some down because it could become a matter with the Police Department not seeing inside. We have done that on an informal basis, but I don’t feel that this Commission, I feel that, the read that I get from my Commissioners is that they, we’re not going to do anything like that. It’s on the agenda for tonight, but it will be taken off of the agenda.

Peter Corsolino: That sounds wonderful. Thank you very much.

Chairman Aieta: You’re welcome. Anyone else from the public wishing to speak during this Public Participation? We have three public hearings and at each of the public hearings you will get to weigh in on the pros and cons of the applications.

V. REMARKS BY COMMISSIONERS

None

VI. PUBLIC HEARING

A. Petition 25-19: Special Permit (Section 3.2.1: Daycare) at 55 Faith Road, Newington Interfaith Housing Corporation, Owner/Applicant, Robert Small, 85B Faith Road, Newington CT, Contact.

Commissioner Woods: Mr. Chairman, I need to recuse myself from this. I actually sit on the board, I’m the secretary of the Interfaith Housing, so I think it is only right that I recuse myself, even though, it’s a non-profit, and there is no financial impact one way or the other, but that being said, I probably should recuse myself.

Chairman Aieta: That’s a decision that you have to make.

Alan Bongiovanni: Good evening Mr. Chairman, Members of the Commission, Staff, for the record, my name is Alan Bongiovanni, licensed land surveyor in the State of Connecticut with offices at 170 Pane Road, Newington. I have with me Michael Grant, representing Newington Interfaith Housing Corporation, and Linda Stone, our architect who has designed the project that we are presenting this evening. Michael is going to spend just a minute talking about who they are and what the project is for those that may not know, and then I will take it from there.

Michael Grant: Good evening and thank you for the opportunity to be heard. My name is Michael Grant from the Housing Consultants, the property manager, and manager for the Newington Interfaith Housing Corporation. The proposal consists of two particular items. The first is the construction of an office and garage, staff maintenance area for the Southfield Apartments. Southfield Newington is a non-profit organization organized in the early 1970’s and we’re approaching fifty years in business. We provide affordable housing, quality affordable housing, in the Town of Newington. We have been operating out of a one bedroom apartment in the complex for the last forty plus years and we feel the need to expand a little bit, so we wanted to construct this, a footprint of 1,630 square feet which is going to consist of a garage area, a first floor office, a conference room and then a second floor which we will partially finish for storage area and so forth. Then the second piece is
expansion of the existing Southfield Children’s Center, Day Care center located at 84 Faith Road.

Alan Bongiovanni: Thank you Michael. Craig, if we could get the, I’m not sure what designation to give you, try the site plan. Okay, is there one that has two drawings on it?

Craig Minor: This one you think?

Alan Bongiovanni: There you go. So, what we are proposing is two buildings as Michael said. I think you should go back to the individual, it’s difficult to work with a screen when you want to compare the existing with the proposed. We can start there.

As Michael stated, there are two different components, one is purely a site plan issue, we’re here with two applications, and that is for the office/maintenance building for the operation of the apartments. That is the smaller building on this location here. Then there is the extension, or addition to the day care center which is the dark brown location here. I’ll talk about the public hearing items, the extension of the special use for the day care at this point, and then we will move on to the other component.

This building was built, the facility was built and opened I think in 2002 and it’s been there about sixteen, seventeen years, it houses or accommodates about 60 children in it’s current configuration, it is as we said, a special permit.

There are several criteria in your regulations under Section 5.2 for procedures and standards for all special permits. I’m going to go through them briefly, but because it already exists and was granted by this Commission I think it’s a foregone conclusion that we meet and/or exceed all of those requirements.

The need, self evident. It’s been here for 16 or 17 years, they have been at maximum capacity, they’ve had significant demands for additional slots for children, so they have come up with this proposal to increase the size of the facility.

The existing and probable character of the neighborhood where this use is located won’t change. It’s to the rear of the apartment complex, it’s bounded on the north and the west by wooded areas, or at least a wooded buffer, and then to the south and to the east by it’s own complex.

The size, type and location of the main accessory buildings in relation to one another, again from all view points, this is the existing building, the addition is being nestled behind the existing building. It’s hidden behind existing apartments, it’s wooded to the north, and there is a substantial ridge of existing trees to the west, so the location is appropriate. It’s immediately adjacent to the building, where it needs to be, and in relation to anything else that may be around the site, this is appropriate.

Traffic circulation, this is one of the items that received staff comments from the Town Planner, the amount, location, access to parking. Our current parking area terminates in this location here. We’re going to extend the parking to go around our proposed office/maintenance facility and add 29 additional cars. This proposed addition is going to facilitate 60 children and ten additional employees. Ten additional employees calls for ten parking spaces. Using the common, what we don’t have in our regulations, but the common parking criteria for day care of 6 pupils per parking space, it requires a total of 20 parking spaces for the entire facility. This additional parking area would accommodate all of that, plus more, as I get into parking a little bit later on. The question was raised about additional
traffic, this day care operates the way that they all do. From their opening in the morning, say 6:30 or 7:00 o’clock, in the morning, for about a three hour period, the same thing before they close in the afternoon, they have drop off and they have pick up. Sixty students over a three hour period, is sixty drop offs and sixty pick ups at the end of the day. You have two access points, from the south you have Richard Street and from the East you have Willard Avenue. A logical distribution is that they come from both directions. So, over the three hour period if you split the traffic fifty/fifty, you have 30 cars going to Willard, you have 30 cars going to Richard, that’s ten cars an hour, every six minutes you are going to generate a car. I talked to my traffic engineer when he saw the comments and he said, Al, explain it just as we are talking about it to the Commission and I think they are going to see that there is not a need to spend the money on a traffic study. Given the numbers that I have stated, if the Commission so desires we can spend the money to have a traffic study, for such an insignificant number, I suggest, or I hope that the Commission would see it unreasonable to request that.

Item E, public water and sewer, currently serves the building, this will be an extension of those services to the building.

Location and type of display signs, there are no display signs for this proposal. Any signage for the development is already there for the apartments and at the bottom of the apartment sign I think at Willard and Richard there is a note, a plaque that says that the day care facility is there.

The last item, safe guards to protect adjacent properties in the neighborhood in general from detriment including but not limited to proper buffering. Another one of the Town Planner’s comments was buffering. The areas where that would be of concern is the back of Melanie, at least one home owner has raised concerns, how will you be buffering this property? There is an existing stand of trees in this location. We will be trimming it back with grading. We anticipate that we will maintain about a twenty foot vegetated area of existing vegetation. We have added a note to our landscaping plan that any areas where you don’t have a good visual screen we will augment with evergreen plantings that would be seven foot on center, so I’m sure that will work. There is not a requirement per our buffer regulations in the Town of Newington but I think that will more than satisfy both sides of the fence there.

Having gone through the requirements of the special exception again, about the site. The building is placed behind the existing building. The site generally slopes from the south, towards the north, northwest, along the north of the property is a paved swale that was put in as part of the original development and it goes along the west. All the drainage from the site is brought to this location. We are proposing to capture any new drainage from our new impervious areas into an underground system. We have received significant comments from the Town Engineer. Some of the drainage I really can’t discuss because we responded back to the Town Engineer and we are waiting for his comments, whether he accepts our proposal for the drainage. We have addressed all of the other comments and we will, as soon as we get confirmation from the Town Engineer will resubmit the entire package to the staff for further review. A lot of the comments I think were generally technical in nature but none the less, they are being properly addressed.

We have met with the Fire Marshal. The Fire Marshal looked at the layout, is familiar with the existing facility, sees no problems with the design that we have, it’s accessible for emergency vehicles, and is going to send an e-mail to the Town Engineer to that effect.

It’s very basic. It’s an addition to an existing facility, with an extension of the parking. We have all of our utilities are already on site, the entire site for interior landscaping, and will
provide backup to the Town Planner to verify, the entire site is required at ten percent minimum, we have 11.4 percent after this proposed development is factored in. The landscaping, again, we used the minimum of ten percent, we have we have almost forty percent, 39.7 percent over the entire parcel.

We are proposing from what exists today an additional 28 spaces, one space for the ten employees, another eleven spaces for the sixty additional students, 21 spaces, that is going to leave a net of 7 additional spaces to accommodate any peak times of what you would have students dropped off, things like that, also, if there are visitors going to the rental office, things like that. Along with that, by allowing this building to be constructed, they are going to free up four spots elsewhere on the site where they park plows, sanders, things like that, equipment that sits out year round. That will be stored in the bottom of the building, so there are other benefits besides just the convenience of this.

I think that is it in a nutshell. I would be happy to answer any questions about the site plan, I know Linda, we've got the architectural elevations, maybe Linda could talk about the design of the building a little bit.

Linda Stone: These are the elevations for the day care center addition. The concept was to successfully continue and compliment the existing architecture, in materials and the scale of the building addition and the roof lines are all very similar buildings there. The window types, the window scale, broken into classrooms, that reflects the different (inaudible), just as the original building does.

The material on the buildings will also match, there will be clapboard siding, and similar roofing, asphalt roof.

The office building was designed to compliment the other buildings on site, the apartment buildings, so it will be brick at the base, and then clapboard above and the color schemes will be very similar to the rest of the apartment buildings.

Chairman Aieta: Anything else?

Alan Bongiovanni: I think that's it.

Chairman Aieta: Commissioner comments, or questions for the applicant? Mr. Planner, any questions, any comments?

Craig Minor: I agree with Mr. Bongiovanni about a full blown traffic study not being required, that's why I used the word analysis to apply, but just something from your traffic engineer on his letterhead would be sufficient.

Chairman Aieta: Very good, we are going to open it up to the public for public comments, and then you are back on under New Business for site plan.

Alan Bongiovanni: Can I ask that we just postpone that portion because we do have significant comments that need to be discussed like low impact design, things like that, and we haven't been able to finish it because we haven't gotten response......

Chairman Aieta: Whatever you want, that's good. Okay, anyone wishing to speak in favor of this application, please come forward, state your name and address for the record. Anyone wishing to speak in opposition to this application?
Derek (inaudible) 66 Phister Drive: With the laser pointer I can point out my parcel of land is the only parcel directly affected, impacted, right there, that pie shape is my property. There currently is a vegetated buffer, trimming it back to twenty feet, also given the fact that the last two winter storms have thinned it out, I would have to insist that for me to call what is there now a buffer is not, so I hear from the plan that you plan some additional reinforcements I guess to the vegetated buffer, and I think that is something that is important.

More of a concern to me though is the change in the drainage. I have looked at this plan, and I'm not an expert, but it looks like there are significant changes to the elevation and location, and certainly a massive increase in the amount of impervious surfaces. Whereas previously there was a fairly small basketball court where the water ran off at it's own will, down into some drainage, and most of it would run off into the back. You can see it any time that you are there. Snow melt would go in the spring, and it would go into the backland which this flows into, and nobody has mentioned that, and that was protected I know from wetlands because I know that all of the properties around there have parts of their deeds mentioning wetlands and protection of the wetlands. So we are now adding certainly a lot more water, in speed from the current site. So the site now drains to a concrete, what did you call it?

Alan Bongiovanni: I called it a bituminous swale.

Derek: I call it a trough. The concrete trough catches very little water, it does soak in, and I don't believe it will any more. Our backyard has a drain built into it, when the estate was built, and a lot of the water from the neighborhood flows through our backyard. Adding any to our already overfilled backyard is not acceptable. We don't think anybody would want to have to deal with that. It was there when we bought it, we knew it was there, at no point did we think we would literally have inches of water in our backyard. I figured maybe a little, but when it rains hard, it flows considerably. Certainly the design is going to catch it in places, and did you say hold it? Someone would have to do that, but any runoff that does not get caught and goes into our side of the property, changes the speed as it comes down, and adds to the amount of water would be a problem, and would definitely damage our property.

The other concern is, not against the day care, this has been a very good neighbor, the entire Southfield has been very good neighbors. The property, there are no traffic problems, it's been excellent. I did not hear mentioned if the new addition of day care would have additional outdoor space for the kids to play, I don't know the laws of a day care. I would assume that they would have to be contained, certainly if they are outside playing as the neighbors in the complex do, I would think they would need to be fenced so that they don't go into danger in our yard. As you can see, we have a pool, it has a fence, but if there are kids, kids can get over a fence if they do desire. I don't think that would happen, but that is a concern if they didn't have enough play space for the children when they are there. I'm not really against this, I just have concerns. As I said, they have been very good neighbors and the day care center and everyone has been very good. I'm not against this, but I have concerns about the change of elevation, change of (inaudible) and possibly the children not having enough play space, which I'm assuming there will be. I don't think I need to mention the change for the people who live there, the traffic for those people, that wasn't mentioned, someone ought to speak to that, the people on that little section have had a dead end where the kids play and drive their bikes, and that is not a thru way, so....that could be a concern. Thank you.

Chairman Aieta: I will see if in the process of rebuttal by the applicant, and ask him to address those questions, and maybe he can alleviate some of your concerns.
Anyone else wishing to speak in opposition to this application? Alan, do you want to respond to some of the questions that this gentleman brought forward?

Alan Bongiovanni: As I stated in my presentation the existing vegetated area here will be reduced, I think we are maintaining twenty feet. We are proposing to augment that as necessary with evergreen trees, every seven foot on center, so it is going to provide any areas that are, especially in the winter that aren't or are deciduous, will provide a buffer, a visual screen from one property to the other. We've done this application on several sites before and it has worked out very, very well and we would be happy to have a condition where town staff would review the planting to make sure that it is an adequate buffer. Interfaith Housing is a good neighbor, and they want to stay that way.

In regards to drainage, our site does not drain onto the neighbor's property. We are proposing to maintain the watershed as it flows from the south to the north. Part of our design would have storm water detention so that it would mitigate the effects of any additional impervious surface that we create. That is part of the town regulations, that is part of the design that we had submitted to the Town Planner for his review. We met, we started meeting with staff in January about this. We came up with concepts, on how to best treat this. As the speaker has just said, there are wetlands to the north, we have a pending application for the Inland Wetlands Commission. One of the issues in our design was although we are not affecting any wetlands and they are really to the north of our property, we have the regulated area. The more area that we clear to create these new LID measures, the more impact we have on the regulated area, so we proposed a solution in concept to the town staff back in January that they agreed to, and I'm not sure what changed, we haven't gotten that response back from the Town Engineer, but we are working on that to resolve any conflicts with the regulations with the design that we come up with to meet the town regulations. This is an area with very, very tough soils as most of the Town of Newington. We have had Clarence Welte out there, he has done borings, there is not permeable soils so many of the options of LID don't apply to this site, but we'll work that through with the Town Engineer.

I'm sorry, I want to make sure I captured all of these since I didn't take notes. Areas, Craig, if you could go to any one of our plans that shows the proposed building? The facility, the day care facility itself has several outside areas planned, everything is designed in accordance with state regulations for security and fencing, it's of utmost importance to keep the kids there and from getting away and providing the educational play spaces. All of these tan areas are the outside areas. There are some educational gardens in this area. This becomes a courtyard and then there is some outside deck areas. Everybody that attends this facility will stay in this facility, it's a captive environment. There can't be these young children leaving the facility. I think that's it in a nutshell.

Chairman Aieta: I'll give the, you have an opportunity sir, to come back up and talk again.

Derek: I think he addressed everything very well.

Chairman Aieta: What is the pleasure of the Commission at this time?

Commissioner Fox moved to close the hearing. The motion was seconded by Commissioner Sobieski.

Chairman Aieta: Motion made to close the hearing and move it to the next meeting?

Commissioner Fox: Next meeting.
Commissioner Claffey: Does closing it affect the secondary portion?

Craig Minor: That's a good point, and in fact since we don't have the traffic analysis yet, we should keep the hearing open to receive that also, so I'd like to keep the hearing open.

Commissioner Fox: I rescind my motion.

Commissioner Sobieski: Rescinding my second.

Chairman Aieta: We will keep the hearing open and it will be on the agenda for the next meeting. Hopefully we will have the site plan.

Craig Minor: I don't think they will have the site plan ready because I think the Wetlands Commission has to act. Wetlands hasn't acted on this yet, have they?

Alan Bongiovanni: They haven't acted on it yet. I need a response from the Town Engineer before we can proceed. He had 98 comments. We have addressed 92 comments, there are six comments from the engineering department that until I get some direction I can't move forward.

Craig Minor: Right, but they don't meet before this board's next meeting on September 11th, do they?

Alan Bongiovanni: No, I don't think so.

Craig Minor: All right, in that case, there is no way you would be able to approve the site plan at your next meeting anyway, so yes, we probably should keep the hearing open.

Commissioner Claffey: Can I just clarify your comment on the traffic analysis, previously you said that there was some discussion, and it wasn't needed or......

Craig Minor: Oh.....

Commissioner Claffey: I just want to clarify. I don't want to leave here and say, oh, we need a traffic study.

Craig Minor: Right, and in fact I avoided using the word study in my memo, because I didn't think a full blown multi-dozen page study is necessary but I did want some statement from a professional traffic engineer as to the status, so something on the traffic engineer's letterhead would be satisfactory.

Chairman Aieta: We will keep this open for the next meeting.

B. Petition 28-18: Special Permit (Section 3.4.4; Home Professional Office) at 944 Main Street, Jeffrey Hedberg, Applicant, Jeffrey Hedberg and Jerilyn Nagel, Owners, Attorney John Kelly 66 Cedar Street, Suite 208, Newington CT, Contact.

Attorney Kelly: Good evening Mr. Chairman, Commissioners, Staff, good to see you all tonight. Mr. Hedberg, one of the owners of the property is here to my left, Ms. Jerilyn Nagel is also here, she is the other owner of the property. This is an application for a professional home office under your special permit regulations under Section 3.4.4, special permits
allowed in residential zones and Section 3.4.4 talks about a professional office within a residence.

Mr. Hedburg is currently renovating a unit at 944 Main Street which many of you are familiar with. It's a colonial house with columns and a porch that faces out onto the town green in the center of Newington and Mr. Hedburg has owned the property since 2005 and I think Ms. Nagel has owned it with him a year or two after that. It has been as I indicated, a rental residential property, three apartment units. Mr. Hedburg is in the financial planning business, he's doing everything out of state and he does have a number of clients in Connecticut and he would like to, he is presently preparing one of the units for his residence, one of the apartment units for his residence, and he would like to have one of the apartments turned into an office complying with the regulations. As the information in the explanation indicates, he does comply really on all counts with the requirements of a home office. Under the regulations, first of all, one of the requirements is that it be the full time residence and Mr. Hedburg will make this his full time residence in Newington for Connecticut. He will only have in the office one employee who would kind of manage the office.

Now Mr. Hedburg's business doesn't do a lot of business in that kind of office. Financial planning, like if he comes to see me for example, he either comes to my office or he goes to my house. That is true for so many of his clients and that would be the case here, but there may on occasion be a client that needs to meet in the office and that is why he is making this proposal.

Your regulations require that the home office be no more than 25 percent, and I think the Commissioners have a floor plan and actually it will be only about 19 percent of the overall floor space in this entire building. He certainly meets that.

Craig Minor: Excuse me Attorney Kelly, the floor plan is in the folder.

Attorney Kelly: That will be a two page, because it is two floors, the building has two floors. Presently there is parking that is behind the building, we are not proposing any changes in parking, there are three apartment units, now we are going to go down to one apartment unit as a residential apartment, Mr. Hedburg's residence and then the office, so there are not going to be three apartments if the Commission approves this. In terms of any kind of changes to the neighborhood, really it's not going to be any changes. I mean, presently as I indicated, it's a three family residential property and with the exception of changing one of the units into office space, it's going to remain residential for Mr. Hedburg as proposed and as I said, a third party tenant, residential tenant. There are no exterior changes to the building, it will look exactly like it does now.

In terms of signage, we certainly will comply with the regulations, but this type of business really doesn't require any significant signage because his clients mostly come through referrals and he has a strong business base already so clients know the good work that he does and they know where to find him. There will be no need for any type of excessive signage or anything outside the regulations, it will be very minimal.

Craig Minor: Attorney Kelly, would you like to display the floor plan that you have?

Attorney Kelly: Sure. Again, also within the regulations under 3.3.4, he is a financial planner, he is not a barber or a hair salon. So he fits within the professional office occupation that the regulations allow for in a residential zone. Certainly he also complies, this proposal complies with the other requirements for special permits which are found in your regulations under Section 5.2 in terms of the character of the neighborhood. I mean, as we all know, the town
green, a building facing the town green is very close to the town center and so a professional office would not necessarily be unusual or outside of the character of this area which is kind of a transition area between a residential area and obviously approaching the commercial area that abuts, Cedar Street and Center Court. Of course this property goes, the back of the property is on Center Court and that is where most of the, well, most of the people ingress and egress the property through Center Court.

Again, there will be no exterior changes to the building, we're not anticipating due to the size of the office with only one employee in there on a regular basis, we are not anticipating any extensive traffic, it's not a retail location, it's an office for those few clients who would like to have a conference in his office. I mentioned, very little changes, other than interior changes for a studio for the building, the exterior, nothing will be changed.

I'll entertain any comments or questions.

Chairman Aieta: Any comments or questions from the Commissioners for the applicant? Any comments or questions from the staff?

Craig Minor: Just let me maybe clarify something for the Commissioners that I was confused by in looking at the site plan for the first time. The ground floor, which you are looking at now, will be the residence of Mr. Hedburg. The crosshatched area is part of the apartment, but that is where the office will be. The second floor will contain a different apartment, a small apartment, and two bedrooms which will be part of Mr. Hedburg's apartment on the first floor, so it is a, apartment number one is all of the ground floor plus part of the second floor, apartment number two is just some 700 square feet on the second story.

Jeff Hedburg: I'm up in Connecticut usually a week during the month, so I'm not going to be here much. The reason that I am applying, is a couple of reasons, one, I have an assistant who has been with me for 22 years working out of her house. When I am not here, I have two sons, one who is here full time and one is a college student, so they will be there, so it is a home. My big thing is, this is a house that was built in 1733, there is a lot of history to it, and once my kids are out of college it's been something that we really wanted to redo. I have a big project planned for the exterior of the home, to make it really look nice again, and I'm not going to make any money on it, it's just a passion I have to redo this house, but if I can't have my office in there, have a business, have a little revenue coming in, it just won't pay to redo the house, so you will see big changes, nice historical type of changes to the outside of the house, having nothing to do with my business. So it's just me and my two boys, hopefully one of them will be moving out one day, so there is nothing more to it than that.

Chairman Aieta: Any questions, any other questions Mr. Planner?

Craig Minor: No.

Chairman Aieta: Okay, we are going to open it up to the public. Anyone wishing to speak in favor of this application, please come forward, state your name and address for the record. Anyone wishing to speak in opposition please come forward, state your name and address for the record.

Commissioner Pane moved that the hearing be closed and moved to Old Business for action tonight. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with seven voting YEA.
Chairman Aieta: Any comments from the Commissioners? We will move this to Old Business for action tonight.

Attorney Kelly: Thank you.

C. Petition 29-19: “Special Permit (Section 6.13: Accessory Apartment) at 102 Ashland Avenue, Victor Gonzales, 102 Ashland Avenue, Newington CT
Owner/Applicant/Contact

Victor Gonzales: Good evening everybody. My name is Victor Gonzales, I live at 102 Ashland Avenue. I have a house with an accessory apartment and when we closed I wasn’t told anything about a permit that I was supposed to have so I just found out so I am here to do whatever I need to use that accessory apartment. I bought the house because it had the accessory apartment so my daughter could use it when she got older, she could stay there. The accessory apartment was built in 1988 so it has been there for like 31 years.

Chairman Aieta: Mr. Planner, give us a little background on this accessory apartment that has been used for the last 30 years.

Craig Minor: I don’t know if it has been used, but it has certainly been there for over 30 years.

Chairman Aieta: Any they never came in for a permit?

Craig Minor: Correct. The original owners at that time did not come in for a special permit. The regulations allowed accessory apartments at that time. I’m not sure why the original owner didn’t apply. Possibly, and I haven’t done the math, but possibly because it exceeded our rule about how you can’t make an addition of more than a certain amount as an accessory apartment so maybe that is why the original owners never came in. It meets all of the other mathematical requirements, whether it meets the subjective requirements is up to the Commission, but the fact that it has been there for 30 years I think probably we could say that it is harmony with the neighborhood.

Commissioner Camillo: I know a little about it. That part of the house was built for a mother-in-law and she never wanted to move in and when they sold the house and left, but there is an entrance from the inside, to get to the other part of the house, and there is an exit through the garage.

Chairman Aieta: We will now open it up to the public for public comments, and then we will move on. Anyone wishing to speak in favor of this application, please come forward, state your name and address for the record. Anyone wishing to speak in opposition to this application?

Bob Mazzona, 101 Ashland: Right across the street. I don’t know if it is in opposition, but I just want to comment on what was already said. I know the former owner, and I know that it was done for the mother-in-law initially and the son moved in on it, and I’m just concerned as to whether it is going to be a two family or if it is going to be a situation where it goes back to being a mother-in-law situation? I’d like to know, since we are having a hearing, which way is it going to go?

Chairman Aieta: The application is, it falls under our regulation for an accessory apartment, so it has to be a family member. It’s not....
Bob Mazzona: It has to be a family member?

Chairman Aieta: Yes.

Bob Mazzona: It cannot be a rental. Is that correct?

Craig Minor: I don't think so.

Chairman Aieta: The intent of the regulation is that these applications for apartments, in-law apartments are for relatives, or relationships, not for commercial use or commercial rental. I don't know if the regulations are that specific, if they spell it out like that, but the Commissioners have been acting in the past on that assumption.

Craig Minor: I know that the regulations don't require that probably because over time that would be impossible to enforce. How would we know who was moving in and moving out? The building has to be occupied by the owner, either the house or the apartment. You may remember you approved a conversion where the owner of the house was going to live in the apartment and rent the house to his adult daughter, but there is no requirement that it be a family member. We kind of, through architecture we kind of enforce that because the doorway between the two units has to be just like a regular doorway, it can't be like a lockable door. Who would want to live that way if they weren't a family member?

Commissioner Claffey: You could have secondary egress and entrance separate from the main residence.

Craig Minor: Yes, but there still has to be an interior, and also I think the requirement is that the utilities, has to be like one electric bill, one gas bill, one water bill and so forth, so again, these are all physical things that we write into the regs to discourage it from becoming a rental, an arms length type of rental if you wish.

Commissioner Pane: Mr. Chairman, I'll agree with you that from years ago that was the full intent, that it be for family members and the regulations were designed so that it would be pretty much for only a family member.

Chairman Aieta: I haven't heard of anything that we have passed where we have had problems where people turned them into rentals and we have done several of these over the years. I've been on this Commission since the seventies, and.....

Craig Minor: They are owner occupied.

Chairman Aieta: Definitely owner occupied. I wouldn't be that concerned about it turning into a rental apartment. Anyone else wishing to speak in opposition, or have a question on this application?

Commissioner Claffey: I just have two comments. One is, in the subject line, there are different addresses on the petition, I'd like a clarification on that, and secondly on the site plan, is this just schematic or, because you said it is like this proposed addition, and I want to make sure that is not part of it, it's just part of the hearing as an information point for the house?

Craig Minor: The survey I found in the folder, as you can see it is dated 1988, and in 1988 there was a proposed addition.
Commissioner Claffey: So it got completed in the town files that this proposed, this part of
the square footage that we calculated and discussed tonight.

Craig Minor: Yes, the other is a typo, I used a template.

Commissioner Camillo moved to close Petition 29-19. The motion was seconded by
Commission Sobieski.

Chairman Aieta: The motion is to close the hearing and move it to Old Business for action
tonight. Any questions, comments?

The vote was unanimously in favor of the motion, with seven voting YEA.

Chairman Aieta: We are going to act on it tonight under another section of the agenda, so
you can stay here and hear the results of that action.

VII. APPROVAL OF MINUTES

Commissioner Sobieski moved to approve the minutes of the August 14, 2019 regular
meeting. The motion was seconded by Commissioner Fox.

Craig Minor: They weren’t sent? My apologies, I thought they were sent last week. Okay, we
will put this on the agenda again for the next meeting.

Commissioner Woods: The minutes for August 14th?

Craig Minor: Yes.

Commissioner Woods: They were in the packet.

Chairman Aieta: You just didn’t put the date on the agenda.

Craig Minor: Correct, because I didn’t have them when I completed the agenda a week and
a half ago.

The vote was unanimously in favor of the motion, with seven voting YEA.

VIII. NEW BUSINESS

A. Petition 26-19: Site Plan Approval at 55 Faith Road, Newington Interfaith
Housing Corporation, Owner/Applicant, Robert Small, 638 Faith Road,
Newington CT, Contact.

Tabled

B. Petition 31-19: Site Plan Modification at 22-26 Mazzoccoli Wasy, Lucy
Robbins Welles Library, Inc., and Town of Newington, Owners; Lucy
Robbins Welles Library, Inc. and Town of Newington, Applicant; Tanya D.
Lane, 131 Cedar Street, Newington, CT, Contact.

Craig Minor: This is the library parking lot that was approved by this Commission last year.
The library board had stated from the beginning that they wanted more usable land, so they
are coming before you tonight for a revision for the location of the buffer area. There are also
some grading changes that the Town Engineer is going to talk about, and the buffer area is where the grading and storm water management will be, so the Town Engineer will speak to that.

Commissiner Claffey: Can we get a full size drawing?

Craig Minor: I got this only a couple of hours ago, so you have it hot off the press, I know that the Town Engineer will be able to explain it on the monitor but the answer to your question is no, there are no full size drawings available as the moment.

Commissiner Claffey: If you want us to act on it, it's kind of hard to look at.

Commissioner Woods: These are just other references to other locations.

Gary Fuerstenberg: I have a large drawing that I can post up here.

Craig Minor: Do you have enough for everybody?

Gary Fuerstenberg: No, just the one.

Craig Minor: Would the Commission like the Engineer to put on the board his physical 24 x 36 plans? Okay

Commissioner Pane: Putting it on the monitor is fine.

Commissioner Claffey: This is a bigger item that also affects also the Building Committee for the new Town Hall.

Commissioner Pane: So you want to see the whole picture?

Commissioner Claffey: I want to see the whole picture.

Commissioner Pane: It's going to be on the monitor, he's going to have full drawings on the monitor, and if you are not satisfied, then we won't close it and will continue it.

Mr. Chairman, before you start I would like to know from the Town Engineer if all of the residents were notified of this meeting that are affected by this?

Gary Fuerstenberg: Yes, we reached out to the five residents on Hart Lane, 15, 17, 21, 27, 31.

Diane Stamm: My name is Diane Stamm, President of the Board of Trustees. We sent a letter U.S. Mail and I also hand delivered the letter to their front doors. We offered an informational meeting to the residents on Monday and two of the houses came and I got an e-mail from one of the residents that said that she was going to be out of town, but she was out of luck, but I know that she was in favor of having trees along the (inaudible).

Commissioner Pane: Thank you very much.

Gary Fuerstenberg: We also have e-mail addresses for three of the residents and reached out to them and heard back from four of the five residents that we reached out to.

Diane Stamm: I'd like to start, again, this is Diane Stamm, I'm the President of the Board of Trustees, and bear with me because I'm going to give you a quick little history because it
seems that every time we start with this, there is a unique relationship of the library and the ownership of the properties and the building and the Town's responsibility. It's kind of a gray area, so I'll just state, the property itself that the library is on belongs to the Board of Trustees. The parking lot project is a project that the Town is (inaudible) and it took about two years for the Town Manager's Office and the library Board of Trustees to come up with drawings and go back and forth. One of the reasons for delay was because there was not an understanding that that land was not town land, but that it is private land owned by the trustees. So the standards for the building codes, not building codes but the site requirements were a little bit different if it is private land as opposed to town land. So, after about a year and a half or two years, we came to the signing of an agreement between the Town and the Board of Trustees. The Town could lease the land and build a parking lot. When we were going through that, it had taken a very long time, it was just about a year ago in July that we were sitting down to finally review the revised drawings. At that time I mentioned that I did not like the location of the trees right along the curbing of the parking lot, and I wanted the drawings re-done so that we could sign them. The Town Manager looked at me and said, that is going to be more time and more money than we have, we really need to get going with the building of the town hall project. Again, we were all trying to work together and that was to provide access to the library during the renovation of the town hall.

I then asked the Town Planner if there would be a problem if we moved the trees to the border and he said that it would not be a problem to move the trees in that direction and that what we would do, or could do at that point is when it got to that point, go for a site plan modification. That is why we are here tonight, is going for the site plan modification.

So what we have on our modified plan in terms of providing that buffer is, we are stating that we would like to see two rows of staggered evergreen trees planted along the border that abuts the Hart Lane property.

Craig Minor: Ms. Stamm, would you like me to display that sheet?

Gary Fuerstenberg: Just scroll down, right there.

Diane Stamm: Where you see the black representation of the trees, that was part of the original agreement. The red arrows show you where we want to go, much closer to the border of the property, within the five feet, ten feet, depending on how you are staggering those trees, and that would provide a buffer that is in the 25 foot zone, and I would expect that you would have one from the evergreens towards the parking lot. One of the reasons that I strongly do not want to put the trees at the beginning of the 25 foot buffer is that that lines up with the edge of the building and we all know that the library has a planned expansion. We don't have the funding for it right now, but whether it is five years or ten years from now, that 25 foot line, if the trees are along that border, all those trees would have to be pulled out and moved. I'm trying to avoid that.

The history of this project is that a contractor was hired, went out to bid and was hired by the Town. He got a late start, was released from his duties in January. There were, let's say some issues, whether it was timing or anything else in the parking lot, and at that time the Town Manager removed the contractor from that job and said that the Town would finish doing the rest. Gary has done a yeoman's job in trying to get together, in working with us getting up to speed, part of this was on the Town's (inaudible) with the contractor doing the project, he has worked with the Parks and Rec folks, he has reached out to the highway and he also has another slide that he can show you where drainage has been added to this plan so that any water that might collect there is being handled. Right now in terms of the driveway, the way that is set up, I won't get too technical without Gary telling it, but the water
on the parking lot goes toward Mazzoccoli Way and Town Hall, not towards the abutting property line to Hart Lane. I know that Gary has had meetings with different town department. Parks and Recreation, the Highway Department, all of them are tasked with completing this project so because of the relationship between the Town and the library, the Town's people, the Town's budget are the ones that will maintain the ground keeping, maintain everything else. So, planting trees on the border makes it easier care, instead of the trees going up and down in the middle. We're looking to have the evergreens, we're not sure if you understand, even though it is private property it is maintained by the Town, so we wanted their input in terms of what would help going forward for the management of the property.

Gary Fuerstenberg: The town maintains removing the snow, cutting the grass, maintain the grounds, takes care of the trees and so on. We have maintenance approaches to the plan.

Diane Stamm: Does anybody have any questions on what I said so far? Are you comfortable with that? I'll turn it over to Gary to talk about some of the drainage.

Chairman Aieta: Where the black trees are now, you said that you want to move them to...

Diane Stamm: Where the green ones are.

Chairman Aieta: Where the green ones are.

Diane Stamm: Right, where the double line.....

Chairman Aieta: The reason for that move is that eventually some day you are going to build a building there?

Diane Stamm: Right. That is......

Chairman Aieta: That would not affect the 25 foot buffer. The buffer zone is still 25 feet, so are you proposing to eliminate the buffer by building a building?

Diane Stamm: Not at all.

Chairman Aieta: Why would you have to remove the black line?

Diane Stamm: Because the building actually comes out there. That is not a 25 foot buffer area, that is like 70 or 65, so Craig, could you show the corner of the existing library building? That is approximately where the 25 foot buffer is. So all of those trees that show in black today would have to be removed.

Chairman Aieta: This is to scale?

Gary Fuerstenberg: Oh yes.

Chairman Aieta: That is five feet.

Diane Stamm: So we want to get them as close to the property line as possible, it provides the buffer, it meets the regulations and it prevents the removal of trees that are established. Again, whether that is five years or ten years, when we get the funding to do that, the library expansion comes in that direction.
Chairman Aieta: What about the side yard for the building? You have the building right at the 25 foot setback?

Craig Minor: The rear yard and the east side would be the rear yard because Mazzoccoli is the front and the rear yard setback is 30 feet.

Chairman Aieta: So would the buffer be considered part of the rear yard or is that in addition to the rear yard.

Craig Minor: Oh no, the buffer, the 25 foot wide buffer would certainly be in the thirty foot rear yard so I don’t understand Ms. Stamm feels that a building addition would impact where the buffer trees are because the building goes out, the building and the new wall of the addition couldn’t come any closer to the property line than 30 feet anyway, so this is where the new wall of the new building is, it’s not going to impact where the buffer line should be.

Commissioner Woods: Mr. Chairman, I think Ms. Stamm is in agreement with that, where they are proposing to put the trees, where the trees were proposed on the original site plan, they would be in the way, but it is a little deceiving because if you look at this rebuffer as drawn there, there is a line right down through the middle of the trees, that is the 25 foot mark. So what you are looking at really is ten feet from the edge of the property line to the west side of the proposed trees. So while it is to scale, the trees, looking at this print that we have, the drawing, they are going to be five foot off the line in a staggered row. Getting a substantial berm that would protect the people on Hart Lane and if they do, and when they add on to the library, it would stay intact.

Diane Stamm: The secondary intent is to hopefully get this wrapped up so that we can get the fall planting season and get these in.

Commissioner Pane: I would like to hear a report from the Town Engineer.

Commissioner Claffey: Yeah, I want to see the grading plan.

Commissioner Pane: I want to see grading, drainage, has the drainage been corrected for the residential? They were being flooded out, was that drain line, is that drain line free, did you find it? Things like that.

Gary Fuerstenberg: Just let me wrap up the details here. So the trees in black, those are the approved plan, the approved mylar from 2018. They are about 75 to 100 feet east, or west of the property line, that is the scale and dimensions that we are talking about. The plan shows two rows of staggered offset arborvitae trees. The black trees are a combination of arborvitae and white firs, and talking with some of the neighbors, the way that the while firs drop branches and the way that they drop needles, it’s kind of a messy tree so some of the neighbors were not in favor of the white firs, and frankly neither were the maintenance people. That is why we went with the one specie versus the combination of two species.

We are not proposing a simple clear cut of all the vegetation down there. Currently with the tree warden the combination of selective pruning on the existing trees, there would be the removal of some of the samplings and vines, a couple of the larger trees would be removed as part of the plan, because once you remove some of the samplings it will open things up and we do want to open it up to get light to come in so some of the new vegetation will take root and flourish and become a dense vegetative screen as the growth fills in. The plan would be to provide about 75 arborvitae as that would be incorporated into the vegetation and
then that is going to result in open program area, outdoor space in between the trees and the parking lot.

Diane Stamm: There is no plan to put any structure in the 25 foot buffer area.

Gary Fuerstenberg: Any questions on planting?

Commissioner Woods: What are you planning on for size?

Gary Fuerstenberg: The specifications call for six foot trees and we got quotes for six to seven foot tall trees to go in.

Commissioner Pane: The plans don't state that you are planning on putting two rows, staggered. It just says seventy-five trees. Will that get corrected?

Gary Fuerstenberg: The plan actually does two rows, obviously you might not be able to see that scale, understood, but we will certainly show and with the text the two rows.

Commissioner Pane: Thank you. As far as the trees up near the roadway, the ones that the library wants to remove, I believe the reason that they were in there was because the elevation is so much higher that they wanted to prevent the headlights from going over and I don't know what that elevation change is, but you must know what it is and is that a concern for any of the residents there?

Gary Fuerstenberg: The elevation change is about three feet, the parking lot is about three feet higher than the property line.

Chairman Aieta: It's only three feet?

Gary Fuerstenberg: It's only three feet. You can see, some of the vegetation may obscure that, as an individual measure, that is what it is. In talking with the neighbors during the past couple of months, they more intensively over the last couple of months were concerned with lighting and when we heard that, we interpreted that as fixed lighting from the site lighting. On Monday, we talked about the vehicle lights, so that shed a different light on the project.

Commissioner Pane: Is there any possibility of a berm could be there to raise up the trees, and it depends on your drainage and whether or not, I don't know if that is possible.

Gary Fuerstenberg: Anything is possible Domenic. It really is, it's just a matter of how we coordinate everything. We are trying to coordinate level surfaces for outdoor studies. We only have sloped surfaces, we're trying to accommodate easier access if we make the area too low then you will need steps and to access that area. I'm trying to coordinate the trees in an area where they are going to grow, we don't want to put them in a low area where they may drown. We want to put them in the areas where the trees are going to have the best chance for survival, we want to coordinate all of that with the grading.

Chairman Aieta: Are you raising up the grade there because it is like a big hole in there now, and it's not really conducive for a play area, so, are you changing the elevation?

Gary Fuerstenberg: I don't have a final grading plan because we didn't know where we were going to put the trees, but I have concepts that I can show.
Diane Stamm: I can tell you that the grading, back in April, that the parking lot was supposed to open more or less, as is and that some of the town departments were going to take over the finishing of the project. Parks and Rec went in and worked to remove some of the scrub and cut some areas in there and they had brought in heavy equipment and that lawn that you see there is not really level. It's what it looks like after heavy equipment has gone through, they leveled it out a little bit, but there is more work to be done. If you look at the most western slot, you can see where they had taken the time to grade that area, put down seed, and watering it, and the back yard was where the equipment needed to get in and out to take out some of the big trees that they knew were going to be in the way. They knew that there were going to be a lot of dead trees, it's not truly graded, it's not even, there are furrows there. That would be straightened out.

Commissioner Claffey: How are we preventing the run off from this property to all of the residents on Hart Lane.

Gary Fuerstenberg: What we have done back there is that we have removed some of the jungle, the thick vegetation and we have removed some of the dead, dying and damaged trees back there, and we have done what I call a rough grading. What you see now is not the final grade. That is just a rough grade to open things up so we can actually work back there. Craig, if you can scroll up a few slides to the (inaudible) drainage that we have.

Our drainage approach is a three pronged approach. We are proposing roof drains, we are proposing surface drainage and subsurface drainage to manage the water on our site and reduce any water that is flowing off site. The largest source of water that we see flowing off site is from the eastern side of the building, there are four roof leaders that just come down and drop water on the ground surface. The ground surface does flow towards the neighbors. By picking up those roof leaders and putting them in a pipe which is this dotted line, this small dotted line and when you get down here you see two dotted lines, and I'll explain what that is. It's actually two pipes that we are proposing coming down into a new catch basin here, tying into an existing manhole here, so that water will come out of the drainage system and it won't hit the ground.

The other pipe, this is a subsurface drainage pipe that is a perforated pipe that will be installed with textile fabric. It will work sort of like a French drain or a curtain drain that you might be familiar with and that will collect water just below the ground surface.

Commissioner Pane: How deep are you going, two or three foot deep......

Gary Fuerstenberg: I'd say two to four, something like that.

Commissioner Pane: Are you going to fill the trench all the way to the top with (inaudible)

Gary Fuerstenberg: I'd say not all of the way, but a good chunk. What we are proposing here is a (inaudible) media that is going to attract water, you know, in this sort of situation, to work well, we do know that the whole area doesn't drain really well. This should help. Then, in combination with the two pipes, we are proposing surface drainage also which is sloping everything, that is what these arrows are trying to show, everything sloping from the building to the south, down to the Garfield area, draining into either this catch basin or that catch basin. Those are two proposed catch basins.

Commissioner Claffey: What is the distance from the edge of the parking lot to the edge of the property line?
Gary Fuerstenberg: This distance here, from the edge of the parking lot here to the property line here, that’s about 100 feet. In the northern part, the distance from here over to where the pod is, is about 75 feet.

Commissioner Claffey: So what is that dark, like SOS line?

Gary Fuerstenberg: The way that these drawing were put up, the drawing that we got from QAM, the town engineer and architect so what I have done is I have essentially overlaid, annotated proposed changes to the plan, so anything in black is really existing or that is already approved, anything that is shown in red or a different color, is proposed.

Commissioner Claffey: Is QAM changing their plans?

Gary Fuerstenberg: No, they are kind of like, they really aren't involved here.

Commissioner Pane: He's using their plans as a base.

Gary Fuerstenberg: Correct. I do have another drawing that shows the revised type on this. Here we go. So, the red dashed line would be the new proposed project limits, so it is extending a little further north, along side of the eastern side of the building, this is to pick up the roof leaders, and give us some flat area to work in there and start planting the trees along the property line here and then extending to the corner of the site to compass this catch basin and the manhole that we want to tie into.

Commissioner Claffey: To the left of where your cursor is, is that the existing parking lot that is there now? The original parking lot?

Gary Fuerstenberg: Yes, that is the Garfield parking lot.

Commissioner Claffey: So your drains are going to run into that parking lot and then proceed out into the street of Garfield.

Gary Fuerstenberg: Not into the parking lot itself, there is a circular....

Commissioner Claffey: That is taking that out to the street.

Gary Fuerstenberg: Yes. This pipe right here, yes. If that is what you question is, once we get it in the pipe, it's not going into the ground until it gets to Mill Brook. It gets into the drainage system and then runs through the drainage system down Garfield Street until it gets to Mill Brook.

Commissioner Woods: My suggestion would be because of the three foot height difference that you don’t use the six, use a seven or eight foot, that way there you are assured that when they first go in, that you are not going to get the spillage from the lights into the neighbors back yards. That would be the cheapest thing that you could possibly do. Just upsize the trees by one size, about 35 or 40 dollars tops per plant, if that much.

Gary Fuerstenberg: Times seventy-five.

Commissioner Pane: They have those fast growing ones too, what are those?

Commissioner Woods: Either spring glow or.......
Commissioner Pane: Those are fast growing.

Commissioner Woods: Green giant.

Gary Fuerstenberg: I appreciate that. Essentially what we do is we took the existing vegetation that was already approved and we tried working with that, and when we found it was sort of a mis-match using the white firs, that's when we went back and engineered it to provide something better for everybody. So that is why we did the little diagram drawing and modified it.

Commissioner Woods: The white fir, they are pretty, but not a good buffer tree.

Gary Fuerstenberg: That is where we started from, that's what we inherited, so......

Commissioner Pane: Are you also going to slope, from the property line of the Hart Lane people, are you going to slope it towards the six inch pipe there that you have, or your French drain so any water running off the rear of the Hart Lane residence, you can pick up the residence water too, right?

Gary Fuerstenberg: There is a high spot on the property line right now, starting about this location, running virtually all of the way down to separate the two properties. It's not significant, it's sort of settled but it is there. I mean, if you and I went out there to look at it, it would be very obvious. So there is, this square here, this is a catch basin, the address here is 31, the pie shaped parcel at the end, and this is all way before my time, it's people tell me that the town (inaudible) but the fact is, that the town, there is no easements or access for us to access that catch basin. All the GIS system shows, I do know that at least two of the neighbors, they do have some sort of inlets, or some sort of grate structure in their properties which I have seen. I do not know where they drain to. It's possible they could simply be dry wells also.

Commissioner Pane: Has that catch basin been inspected, the one that’s at the south?

Gary Fuerstenberg: No, it's on private property and we don't have access to it.

Commissioner Woods: Do you have an existing conditions plan showing the elevations back there, because the original design shows no work being done in this area, so you have no grades, no proposed grades, but I'm curious if you have that existing conditions so we can kind of see what it did, because although it has been disturbed, the grades haven't changed drastically in that area?

Gary Fuerstenberg: What we did basically was clearing vegetation and we pulled up stumps and that sort of thing. Cut a small swale to go some rough grading. This is the entire town hall parcel that you are seeing here. This is the existing town hall, construction for the new town hall, the library and this is where the parking lot is, so you can see, here is the elevation, 80, 88 right here.

Chairman Aieta: So it looks like the backyards of the properties on Hart Lane are lower than the elevation of the library parking lot.

Gary Fuerstenberg: When you look in the center and the western part yes. When you look at the drainage patterns, this is the low spot where water would run in this general direction.
Commissioner Woods: Can you blow it up so we can see the (inaudible) You have 87.3, go down towards the south, it is coming down, 86.3.

Chairman Aieta: What are the back yards?

Commissioner Woods: We aren't going to have that probably. There, 84.2.

Chairman Aieta: 87.2

Gary Fuerstenberg: In this area here, it's very obvious that the water from the roofs ends up on the neighbor's property but this we see all around town, water runs downhill naturally and we can't change drainage that has been going on for decades, but you can change the surface grading to pick up the roof water. Any rain water that falls here is going to continue to drain in that direction. I'm confident that by picking up the roof leaders, the roof water, that is going to make a substantial improvement in the area, with the drains in the area, in combination with the surface drains that we are proposing and the subsurface drains that we are proposing.

Commissioner Claffey: So the subsurface drainage is the two red dotted lines?

Gary Fuerstenberg: Yes.

Commissioner Claffey: From the previous drawing, how does that in their location interfere with stacked arborvitae trees all the way down that same trajectory?

Gary Fuerstenberg: I do have a couple of sections and I will just preference it before we get there, the details of the grading is sort of a work in progress and once we know where we can put the trees, then we can put the trees in a location where they will flourish and grow. It's a bit challenging to coordinate all of the drainage, the trees, the flat area, maintain access and everything else.

Here I'm showing six different cross sections, these are just concepts. They are very conceptual, but starting on the left hand side you see the pavement sloping towards the west, toward Mazzoccoli, you see there is a curb here and there is various sloping configurations as to how we can mix and match the grading, the trees, the swale, the subsurface drainage, all these cross sections, meet the drainage concept which we are showing here is draining to the south.

Commissioner Claffey: And they meet the concept of the two pipes underground?

Gary Fuerstenberg: Yes.

Commissioner Claffey: To the catch basin in the original parking lot.

Gary Fuerstenberg: Yes. I'm now showing it because it is very much a work in progress, I mean, Tom and I met on the fly this afternoon, this morning, coordinating these sort of details as everything coming together. These are different concepts as to how, and the way that we are trying to, right now, let's back up, all six of the drainage concepts, they drain to the south and what you are looking at is the cross sections where the water flows out and towards us.

Commissioner Woods: Gary, what you are basically going to do is take the property at the property line and drain in back into the swale?

Gary Fuerstenberg: Yes.
Commissioner Woods: So that should alleviate the water issue for the private property.

Gary Fuerstenberg: Yes.

Commissioner Woods: You aren’t putting any buffering or rise in there at all?

Gary Fuerstenberg: Correct. There is a high spot there and pulling the trees from the high spot and draining everything to the swale. My concern about five and six and even four is that it is sort of a long area to begin with and with some of these other concepts I can provide better surface drainage and so there are some things, there are some details that certainly have to be coordinated but it can all work.

Commissioner Sobieski: Some of that water also should be coming from the property owners, coming back this way, am I correct?

Gary Fuerstenberg: Water from the Hart Lane residences is flowing onto the library property nor am I convinced that the water is flowing the other way either except up on the northern part, there is no question about that.

Commissioner Pane: Is that where you got most of the complaints from the residents.

Gary Fuerstenberg: I got complaints from everybody about the water, from everybody. Pretty much everybody, probably I’d say, there is one resident that I haven’t talked to, so it’s either four of the four, or three of the four that I talked to that had mentioned drainage issues. I think we are being very pro-active, you know, with this plan, and I would even go so far as to say that it is overkill, but I’m good with it. I mean, it’s a three pronged approach. I’m good with it.

Commissioner Claffey: At the east side, at the building corner, you are taking the roof drain, catch basin, all underground, what about the drainage from where the new parking lot is, and you have walkways, any roof leaders that come down the side of the building, where is that water being sheet flowed to?

Gary Fuerstenberg: Good question. It’s a very unique situation, the roof leaders on the south side of the building and the north side of the building, they are all piped and I’m assuming, I don’t know exactly where they are piped to, but there is a catch basin right here, to the upper left of my hand here, and I’m assuming that the leaders on the south side of the building are piped into there. We don’t know a lot about that system, so I’m not wanting to put in any more water and potentially stress that system, so we’re comfortable putting in an additional two hundred feet of pipe to keep the flow separate and not cause other problems somewhere else on the site.

Commissioner Claffey: And then in the new parking lot, from all of the curbing, that water on the current new parking lot is all being contained within the parking space perimeter and not being flowed over and above the Hart Lane section.

Gary Fuerstenberg: Absolutely. You can see how these are all angled, the water is going to flow perpendicular to those contour lines so flowing in a southwesterly direction. There is a catch basin and bio swale right here, there is a catch basin here and there is also a bio swale and catch basin here, and there is a drainage swale along the south side of the lots which flows into this catch basin.
Commissioner Claffey: I’m going to bring up one question as a standing member of the Building Committee, there has been a discussion of Mazzoccoli Way being straightened out possibly made by the architect who designed this. So I don’t know if you concurred with him, but due to some underground utility changes there was a possibility that they may have to move it, I’m not sure I speak out of turn, but it does have to come back to this committee so have you had that discussion with the other parties that this all comes from?

Gary Fuerstenberg: I’m aware of the water pipe re-location project, but I’m not a part of that project.

Commissioner Claffey: Okay.

Gary Fuerstenberg: When you go out there now, there is 30 feet or so here, down here is probably 50 feet or so of space, but the whole road could easily be shifted over to make room however once you get in that, then you are getting into sidewalks, and this is town property again, this is private property.

Commissioner Claffey: I was just bringing it up that we have enough land, the bio swales, the catch basins, what we have, I don’t want to be here in six months discussing this.

Gary Fuerstenberg: I think there is enough room to work. I’d be a little concerned about the handicapped ramp to get into the library here. It gets a bit steep and if that gets pushed over and gets shortened, then it becomes steeper. There is an existing drainage on the west side, just the way things were built and what we observed last winter. You mentioned some icing and so on, and in this area we did observe icing and it took a lot of salt and a lot of man hours to maintain that area. It’s a high pedestrian traffic area. My approach is, I would rather err on the side of safety and add two catch basins here and in the driveway, essentially it’s putting them right about the existing pipes without destroying the pipe and then also putting a catch basin down on the southern side just north of the Garfield line again, right on top of that pipe so we can collect as much of that water, I mean, it all goes into the same drainage system, we’re just picking it up sooner.

Commissioner Pane: So those are all new then, there is one, two, three, four, five?

Gary Fuerstenberg: Five, yes. And this manhole will be modified to a catch basin, so we are adding essentially six catch basins to the whole drainage system.

Commissioner Pane: I think that is wise. I think you have done an excellent job on here, I think this corrects the problem for the residents and I like the two rows of trees that you have chosen, and I don’t have any other problems. Thank you.

Gary Fuerstenberg: I appreciate the praise and the compliments, it’s a team approach. I give my compliments to all of the guys, the Parks guys, we’re all working together.

Chairman Aieta: Any other questions from the Commissioners for the Town Engineer? Mr. Planner, any comment from you as this plan is concerned?

Craig Minor: As I put in my memo, I don’t believe that the ten foot wide swath of arborvitae addresses your twenty-five foot wide buffer regulation, but I’m not going to beat a dead horse. I’m on record as saying that, so it’s up to the Commission to make a decision. I would like the chairman to give the residents the opportunity to speak. It’s not a public hearing, but I think that they should be given the change to ask questions or express opinions.
Commissioner Pane: It's not uncommon for us to have a row of trees in the buffer area. I mean, on other projects that we have done always there has been a buffer, usually within the buffer area. I don't think we are doing anything abnormal here.

Chairman Aieta: I think the 25 foot buffer area is spread out, not just at one particular point, a twenty-five foot buffer and we're only talking ten feet. Then the remainder of this is a buffer area of passive recreation area, is it something sacred? What is our duty as a Commission as to what that buffer area is? What it is used for? I know you can't build in it, but you are basically saying on this that you are taking a 25 foot buffer and trimming it down to basically ten feet. You are giving fifteen feet back to the library as a passive recreation area.

Commissioner Pane: I don't think we have ever had any restrictions that somebody couldn't recreate in the buffer area. The buffer area is mainly so that no building can be put up in there, so we're not really giving up any of the twenty-five feet, we're saying that you can't construct a building within that twenty-five foot.....

Chairman Aieta: I don't interpret it that way, I don't know.....

Craig Minor: The setback, the rear yard requirement is what prevents.....

Commissioner Pane: And that is thirty feet.

Craig Minor: Right, but the yard requirements, the buffer requirement is to literally do that, it's to screen, it's to buffer commercial activities from residence, from neighbors, and I don't think that any programming, anything related to whatever business it may be, it's a library, but I don't think they should be allowed to do anything in the 25 foot buffer area that, anything. It's a no man's land, it should be nothing going on there. In fact, if you look at the half dozen sketches I gave you, you can see all of the examples of previous approval by the Commission show a 25 foot wide area that is more or less populated with trees. The trees are now pushed over to one side. They are more or less.....

Commissioner Claffey: Let me ask you this. With that buffer, can it be within the setback requirements?

Craig Minor: Sure. The buffer can be. It's not in addition to the setback.

Chairman Aieta: The way the regulation is written is that the 25 foot should be populated as the buffer, not a ten foot swath where we put the trees on the line and expect that to satisfy, it's not, it's only 10 feet. If you want to change the regulations to allow a single line buffer, then maybe we should change the regulations. The way it is written now, as the Planner has pointed out, that area of 25 feet should be populated with trees, and densities that will stop light, sound, activities. That is what the buffer is for.

Commissioner Claffey: So then this proposed drawing here, the proposed green that we discussed, in your mind.....

Chairman Aieta: Is not an approved buffer.

Diane Stamm: I just wanted to clarify a few things. One of the things, we had mentioned that we had used the lawn area in the past when we had demolished the houses on that property, my concern is that the row of trees is closer to the building creating an alleyway and obviously that is the buffer zone and there should be no activities there. There has been a
history of vandalism in town and by library property and I don't like the idea of having trees here and trees here and have a fifteen foot alleyway for mischief. So.....

Chairman Aieta: That is not what we are saying. We are saying that the whole twenty-five feet should be populated with vegetation.

Diane Stamm: I don't have a problem with not having programs in that twenty-five feet, I would like to have line of sight across there, so that we know what is happening and have the protection of the property line between neighbors.

Commissioner Woods: I think that if it is done similar to what is drawn here right now, when these plants are matured, you will have a twenty-five foot buffer of evergreen plants, easily, maybe even a little wider, especially if you go with the Green Giant, they get a little bit wider. I think it is very common to start out with trees a little bit further spaced apart, as a staggered row so that you don't get that initial effect of a solid hedge. It appears what you have done in the short distance that you are doing it, you are looking to get pretty much of an established hedge in a very short period of time, if not immediately upon planting.

Gary Fuerstenberg: Yes, I tried to mimic the spacing that QAM had used in their layout. You might see some of the green dots among the black trees and that was my template that I used for copying that same density, but maybe if we do get a different specie, maybe we can open it up a little bit better to provide more screening with some taller trees.

Commissioner Pane: I think what the Commissioner is saying is if you put them five feet off the property line, by the time that they grow, they might be protruding into the existing, so maybe a little farther than five feet.

Commissioner Woods: It’s five and then the other five is ten so to the west they are already ten feet off the property line.

Gary Fuerstenberg: The layout that you see there, the first row is about two to three feet off the property line, to give it a five foot diameter, and then the second row is about seven to eight feet off, so there is a five foot layout, and again, that, that was the spacing and density that QAM used. If there is a different spacing that you recommend since there is a different specie, let us, this is the time to make those changes versus, you know....... Everyone talking at once.

Commissioner Woods: You don't want to encroach on Hart Lane’s property. You want this buffer to stay intact, and as you know, anything that grows over a property line....

Gary Fuerstenberg: The neighbors can cut it, yes.

Commissioner Woods: The first row is seven to ten feet and the second row two to three feet in front of that, you are going to maintain a twenty-five foot buffer forever. It will take a year or two to grow out.

Chairman Aieta: Then you satisfy the regulations. The way that it is here, you do not.

Gary Fuerstenberg: But again, with your approach, you are also incorporating the existing vegetation out there too. The plan doesn’t show the trees that remain, but there is a combination of deciduous trees. I’m not a tree expert, but I can tell some oaks and maples are out there. There may be some other trees out there too.
Commissioner Pane: Are they right on the property line pretty much, or…..

Gary Fuerstenberg: Some are actually on the Hart Lane property, some are on the property line, a fair chunk of them are actually on the library property.

Commissioner Pane: I wonder if you just leave them alone and move that first row like you said Commissioner Woods, about ten feet off the property line, or seven or eight feet, and then the next row and then you won’t have to do much trimming at all of anything.

Gary Fuerstenberg: Reduces the amount of pruning that I alluded to?

Commissioner Pane: Yes, and that gives enough room for the trees to grow towards Hart Lane and the other way, and then the other row in front, that will take up, when those trees are matured, it will take up quite a bit of the twenty-five foot.

Commissioner Claffey: Question for the Planner. With what was just said, does that still conflict with what the understanding of a buffer zone is?

Craig Minor: It’s a lot closer to the twenty-five that I have been ……..

Commissioner Claffey: I bring that up because in previous meetings we’ve discussed this verbatim almost every time it comes up, and we always refer back to the buffer and hump that is at the DOT building at the corner of Berlin Turnpike and Griswoldville and if you look at that, it’s not high, but the plants are planted in such a depth that it has grown over the years and you don’t see the building. The actual buffer height is not that high, the trees just over time have grown. You have now over thirty feet now probably, and it just seems that we’re pinching this in to have heart ache in the future because a buffer of that condition is not consistent. My opinion.

Commissioner Woods: The type of tree that was selected is going to grow and stay within that twenty-five foot buffer. If you go with the Green Giants, in year two it will probably put out 18 to 24 inches and year three feet it will grow three feet in a year. They are also considered deer resistant, that’s how fast they grow.

Gary Fuerstenberg: They grow faster than the deer can eat them? Okay.

Commissioner Woods: Again, I thin it’s a good choice of trees, and I think it will give the neighbors good protection that they need and deserve. It will also give the library the buffer that they should have between the two.

Gary Fuerstenberg: I just want to mention, in the springtime when Parks were doing some of the clearing and so on, I don’t know how many of truck loads of debris that they hauled away. Just stuff that was back there, you know, it was a secluded area, so whatever ended up there ended up there and I mean, it was probably close to ten truck loads of debris that they ended up carting away from there. So whatever we do, we will try to prevent that dumping of stuff from happening in the future.

Commissioner Woods: I think that we need to recognize that we are fortunate that there is a library board that did make an investment in this property and to expand the parking and it is also a benefit for the town hall down the road, because there will be shared parking.

Chairman Aleta: Did you take into consideration the comments that were made at the table here as far as the location and size of the trees?
Gary Fuerstenberg: Yes and we will also go back and meet with the library board and coordinate some of the details.

Craig Minor: Before you leave, would you just qualify, the first row of trees, the eastern most row would be ten feet from the property line? Then the one to the west of it would be ten feet more, five feet more?

Everyone talking at once.

Chairman Aieta: Could you coordinate with Mr. Woods, coordinate with him so that we get it right?

Gary Fuerstenberg: Absolutely.

Diane Stamm: I want to make a comment that when Gary was working with the other town departments he did have a tree warden come out and look at the trees, and there are some, deciduous trees, ailing deciduous trees and they have been marked for removal, so some of those trees will be gone, and when the leaves are gone in the fall, you don't have the screening there that you think that you do. So it really is the arborvitae that is providing the buffer and the other trees don't provide any kind of a buffer, except in the summertime, and many of those will be removed per the tree warden's recommendation.

Gary Fuerstenberg: I think we can review with the offset spacing that would affect the trees that would be flagged for removal. We may be able to salvage and keep some of the existing trees.

Chairman Aieta: I'm going to open it up, anyone wishing to speak at this time on this issue, come forward, state your name and address for the record.

Amanda (inaudible): I live at 15 Hart Lane in Newington. I am the property owner closest to the drainage issue that is in question that comes out at the corner of this building. We have had major drainage issues, my son's playscape has been underwater, any time we get a rain. I'll just read quickly, our home is our largest investment and until recently was a source of joy and pride. We would never have purchased our home if we had known that the library was going to circumvent the town's regulations to the detriment of our privacy, the quiet enjoyment of our pool and the property value marketability.

This I wrote before the comments that were coming out today. So, I'm a lot happier with the drainage, the solutions that I hope will solve the problem that we are having in our backyard. I'm also happy with the buffer that is being discussed today because that was not part of the original plan, so with that being said, both of those things now that they are being remedied, I have a lot less of an issue with the entire project. Obviously it deters from the original plan which had the trees aligning the parking lot. Our big issue right now is the car lights that are pouring into our house on any given day, when people come around to do the drop off, those lights are coming right into our house.

Chairman Aieta: Hopefully the trees, the buffer area will alleviate that.

Amanda: And that would be amazing because that is our only issue. I love the library, we go there on a regular basis with my son, I don't want to hurt what they are trying to do, I understand what they are trying to do, but at the same time, I want my property to be back the way that it was and not be flooded and not be flooded with light.

Chairman Aieta: Hopefully this will be satisfactory.
Amanda: I hope so, thank you.

Chairman Aieta: Anyone else?

Beth Critten: Good evening, I'm not a Newington resident, I'm Mindy's mom. I live at 39 Cumberland Road in West Hartford and I was at the informational meeting on Monday night and I do have to say, it has come a long way since Monday night. My background is as a land use attorney for the Town of West Hartford for about fifteen years, and then with Shipman and Goodwin for about fifteen years.

I'm retired now and am here as a mom, but I want to look at every detail of the plan, and the one thing that does strike me is that in your regulations, they don't contemplate conceptual site plans. Contemplate detailed, I would like to know for example, what happened to the snow removal, now that that is right next to the parking lot and has been taken away. Is the snow going to be moved next to my daughter's house? I think I appreciated the details you talked about, and I particularly feel I should enter into the record Craig Minor's comments on the original library position, and this is the initial, and I only have one copy, but they had initially proposed a single line along the parking lot and Craig came back and said that was not adequate and required a double line, and I think where the discussion is going tonight is that yes, these trees may not be right next to the parking lot, and they have the real advantage of preventing light trespass and light pollution. The discussion that I hear is that they are not just going to be ten feet from the property line, that it is going to be wider, perhaps more vegetation.

There is, and I encourage you, I don't know if your Commission has scheduled site walks, there really is a significant drop as you go from the library property down to the Hart Lane property, and so light from the parking lot is going into my daughter's house. This happens when the trash trucks come in the morning, it is a real problem. I trust this Commission to require the details necessary to fully evaluate these plans, I'm not sure you have them yet. I heard a lot of......

Chairman Aieta: Some of the sections that the engineer showed us did not cover the light, five, six were not, the top of the trees weren't at the elevation of the parking lot, so we would have to look at that criteria......

Beth Critten: I don't know, a berm, I'm just talking, but I don't know if a berm is a solution, of course you get into a berm, you have to do a sedimentation (inaudible), you have to do a whole bunch of things that have not been done yet.

I gues, I'm not sure, I leave it to you to approve and a lot of this is headed in the right direction, but there is still in some cases, a conceptual phase and I'm requesting that there be more details before you approve this. Thank you.

Chairman Aieta: Anyone else? Anyone else wishing to speak on this issue? I'll open it up to the Commissioners.

Commissioner Pane: I think that what Commissioner Woods suggested, going to the seven or eight foot solves the problem and I think that is what was on his mind. It solves the problem of the headlights, when the engineer is saying are three feet off of the property line and then you figure the headlights are another couple feet higher, we're at five or six feet, and that is why I believe Commissioner Woods suggested seven to eight foot trees.

Chairman Aieta: Some of the sections that he showed us Domenic, the tops of the trees were at the elevation of the parking lot.
Gary Fuerstenberg: I think the height of the trees was kind of conceptual, those were conceptual, everything else was very much to scale and to the details, they were conceptual to show. We can easily work out, once we know about the offset, then we can kind of put in the grading. We’re trying to coordinate all of the things, there are about five different cogs that are moving here, and trying to put them all in a line.

Commissioner Claffey: I would just like, the next time that this gets brought to us that we have the details that are significant, not just conceptual.

Commissioner Woods: Gary, if we continue this to our next meeting, does that give you enough time to get us a plan that this Commission could then have?

Gary Fuerstenberg: Two weeks will give us plenty of time, we’ll meet with you, I’ll grab the Park guys, and we’ll coordinate, put all of our minds together and get a solution together that works for everybody.

Commissioner Woods: And it still gives enough time for the fall planting.

Gary Fuerstenberg: Right, we don’t want to miss that obviously, but just moving it two more weeks, we’ve got nurseries out there, we don’t want to lose that stock, or lose that opportunity to complete the work this fall.

Commissioner Woods: Due to the cold this spring, the summer, early fall is just starting now, has been pushed back by two or three weeks, so it’s going to work in your favor.

Gary Fuerstenberg: One thing, there are ninety-nine wetland species that have to go into the bio swale and those will be planted in the spring of 2020. We’re doing the reseeding work right now, that is the type of work that is going on. We’re putting in the irrigation system, but the way that I envision this we need to put together a plan, have it approved by TPZ, have it approved by the library board, and then the town forces get the green light. Right now we have kind of like a yellow light, but we can do stuff that is already on the plan, but the improvements need to be approved by the two boards. We’re in the process of doing all of the leg work and scheduling and home work done to get the ducks in order.

Diane Stamm: Due to the unique feature of the library property and the library and the town and all of that, the board has some fiduciary responsibilities which is why we have the lease agreement and everything else, so we’re trying to meet the planting schedule, we’re trying to make sure that we have the plans with the details to go with the modification plans to the board. We have several board members here tonight, and we have discussed this in previous board meetings, that the board is in favor of putting the trees as close to the Hart Lane property as possible, so I don’t see a problem with this, but there could be some technicalities that we have to deal with in terms of a change to the lease agreement, but I feel confident because we are meeting the whole idea of trying to get the trees close to the property line, so we have a line of sight.

Gary Fuerstenberg: This was always your vision, it just wasn’t communicated and put on the drawings at the time this was put forward.

Diane Stamm: We tried to help expedite the project, it dragged on way to long, and knowing that the town hall was getting ready to kick off, so rather than stopping everything a year ago in July, demanding that it be addressed at that time, so that is why we are back here now.
Chairman Aieta: TPZ will bring this up at the next meeting and with all of the plans and everything, we can take action at the next meeting and then it is up to the library board.....if you can’t put it together and you miss the season then it’s going to be on you.

Diane Stamm: I believe I can put it together and I can also......

Chairman Aieta: You are aware that we are moving those trees more into the twenty-five foot buffer that is not shown on the plan.

Diane Stamm: I see what the drawing is, I think it’s a good compromise as we move forward. I can also call a special meeting of the board to get that approval going through. There are some legal steps if you will that the Board of Trustees have to follow. So we are all trying to meet the deadlines, we are all trying to work together on this.

Chairman Aieta: Thank you.

C. TPZ Discussion of Window Signage

Chairman Aieta: We made the determination that we are not going to move forward with this at this time.

IX. OLD BUSINESS

Chairman Aieta: We have the items that we moved.

Craig Minor: I do not have any draft motions to approve those, 28-19 and 29-19.

Commissioner Pane: Mr. Chairman, I’d like to make a motion that we approve Petition 28-19 Special Permit, Section 3.4.4. Home Professional Office at 944 Main Street. Jeffrey Hedberg, Applicant; Jeffrey Hedberg and Jerilyn Nagel, Owners; Attorney John Kelly, 66 Cedar Street Suite 208 Newington CT, Contact.

Conditions:

None

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

Commissioner Pane moved that Petition 29-19 Special Permit Section 6.13; Accessory Apartment at 102 Ashland Avenue, Victor Gonzales, 102 Ashland Avenue, Newington CT, Owner/Applicant/Contact be approved.

Conditions:

None

The motion was seconded by Commissioner Fox.

Chairman Aieta: I would just like to state for the record that the intent of this regulation is that this property be used for family. The property is not for rental outside of the family.

The vote was unanimously in favor of the motion, with seven voting YEA.
X. PETITIONS FOR PUBLIC HEARING SCHEDULING
   None

XI. TOWN PLANNER REPORT

Craig Minor: I don’t have any report, but there were a few items that were on the Council agenda last night if the Commissioners have any questions about any of the items, if not, we’ll move along.

XII. COMMUNICATIONS

Commissioner Sobieski: I sent all the stuff from CRCOG out. I do have a new e-mail address because I had trouble with Cox. I sent it out.

   A. Back to the Future with TOD Article by Tom Conlin, CT Mirror, July 29, 2019

Chairman Aieta: Back to the Future article, any comments?

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

   None

XIV. REMARKS BY COMMISSIONERS

Commissioner Claffey: I have a few things. One is, I’ve been asking on multiple occasions, probably for over a year now that we somehow we look into our parking regulations and how we designate that, and Mr. Planner, I have yet to see it brought up on the agenda.

Craig Minor: I’m sorry, I’m not......

Commissioner Claffey: I sent an e-mail asking that it be brought up on the agenda, never got put on the agenda. Parking in general, that we don’t have parking for commercial businesses, we, we are starting to pigeon hole these businesses without a regulation that is really right. It even got brought up tonight with the Bongiovanni Group. They are like picking and choosing. We have business places that there is really nothing. How we go to calculate a new business moving into a vacant building, and then you have problems with the parking at these businesses because there is not enough room, and I brought it up for years now, and I’ve never really got a, how we calculate parking for businesses.

Commissioner Woods: Maybe I’m missing something, but when I first got on, I think it was one of the first things that we did was our parking regulations.

Commissioner Claffey: I understand, and then it was changed and now it is becoming an issue.

Commissioner Woods: You are not happy with the changes that we made?

Commissioner Claffey: I’m not saying I’m unhappy, I’m saying it’s a concern to try to get new growth and business here because they keep coming back to change plans, change plans because they don’t have enough room, and I thought it was too little. I brought it up on multiple occasions and everyone is okay with it I guess, but there are businesses here that
they park on the street, they park in other business lots that are across major roads because they don’t have enough parking, it just seems the same parking concern as you brought up tonight for the day care.

Craig Minor: No it wasn’t.

Commissioner Claffey: You did bring it up for him to calculate so he threw it back……

Craig Minor: No, that’s not correct.

Commissioner Claffey: Okay, then correct me.

Craig Minor: I’ve been waiting for you to stop so I could. The entire section on off street parking and regulations, we do have very detailed regulations on how much parking different kinds of businesses are required to have. Now, when something new comes along, like the Montana Nights axe throwing, we don’t have a regulation for axe throwing so we kind of winged that to be honest with you.

Commissioner Claffey: But that is part of what I have been asking to review because there are specialities; there are entertainment districts, there are businesses that fall in special……

Craig Minor: We have requirements for those, we do, we always have.

Chairman Aieta: We had to find a spot for the axe throwing……

Craig Minor: We were inspired for the requirements for bowling alleys because… but by definition we can’t have a regulation for an industry that doesn’t exist yet. As new industries pop up we then can come up……

Commissioner Claffey: You guys brought up Montana Nights, but there are some parking issues in this town, I don’t know if people just drive around and never see it, when businesses have to move to other locations for their parking, or businesses on Holly Lane that take up the whole street where they park extra cars because they don’t have enough parking for their establishment. Holly Lane, Holly Drive. They park from the corner of Fenn Road all the way down to that extra parking lot that they don’t use.

Craig Minor: Some businesses have outgrown their parking, that is something different. Is that what you are talking about?

Commissioner Claffey: What I’m getting at is like the business across the street on Holly that is under construction right now, renovations,

Commissioner Pane: Across the street.

Commissioner Claffey: Right next to them. As needs start to change for businesses, it seems that our parking regulations isn’t and we are pigeon holing these companies into these, how do you say it……

Commissioner Pane: I think some people make poor choices and they go into places that don’t have sufficient parking and they try to make it work and I think……

Commissioner Claffey: It seems how we calculated with an assumption, take the sandwich shop……
Craig Minor: Restaurants, we know exactly how much parking is required for a restaurant. There is no gray area there at all.

Commissioner Claffey: There was, when we had the discussion, go back in the minutes, we had made comments that he would have shared parking……

Craig Minor: Who are you talking about?

Commissioner Claffey: Tony Baloney's.

Craig Minor: Oh, okay, parking in a shopping center where there are multiple businesses it gets complicated for staff to make sure that in the aggregate that there is enough parking for all of the different businesses. Yes, it's complicated but the individual parts are pretty black and white.

Commissioner Claffey: So we are parking on all of the public right of ways.

Craig Minor: As Commissioner Pane mentioned, those merchants under estimated how much parking they were going to need because their business is doing so well.

Commissioner Woods: Is that where you're going? If a business is doing well, better than what their parking will allow, that becomes difficult because we base it on square footage, correct? I don't know how you can regulate parking on whether the business might or might not (inaudible) How do you come up with that? Montana Nights, that's a great one. Is that going to last, for the long haul?

Commissioner Pane: Krispy Kreme, I mean that is a perfect example. I mean we gave it what we felt was sufficient parking and it just, it was a big hit and there was not enough parking, and then they moved out of town. I understand your concerns Commissioner, but some things are like that but I think we try to do our best.

Commissioner Claffey: Well, with this parking, then we have all of the other issues with parking. Residential zone with motor homes, tractor trailers in the back yard that is approved, but a guy puts a storage unit in the front yard, he gets a citation, but a guy can park an 18 wheeler in his back yard and not get a citation. Those are all of the things that we kind of cite one guy for a construction trailer but we don't for a mobile home that parks in the front yard and it's been there for about four months now on Main Street and nothing has been done.

Craig Minor: I don't think that's correct.

Commissioner Claffey: You said it at a meeting. That he can drive his 18 wheeler cab into the back yard, West Hill Road, that was brought up…..

Craig Minor: I'd have to check, I'm sorry I don't have the regulations in my brain....

Commissioner Woods: Mr. Chairman, if this is alright with Commissioner Claffey, if Commissioner Claffey and the Planner could possibly talk between now and our next meeting, talk about it, could verbalize it to him so the Planner can get something down to bring back to us.

Craig Minor: That would be more productive than this.
Commissioner Claffey: But I keep bringing it up and you said, you can park the cab in the backyard... ... ... so I guess no one really wants to worry about that. Now I bring it up and you claim I didn't know anything about it. It is an 18 wheeler with the gross vehicle tonnage that is over what we have.

XV. CLOSING REMARKS BY THE CHAIRMAN

None

XVI. ADJOURN

Commissioner Fox moved to adjourn the meeting. The motion was seconded by Commissioner Sobieski. The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Norkie Addis,
Recording Secretary