NEwINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

September 11, 2019

Vice-Chairman Michael Camillo 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

   Commissioner Michael Camillo
   Commissioner Anthony Claffey
   Commissioner Michael Fox
   Commissioner Domenic Pane
   Commissioner Stanley Sobieski
   Commissioner Stephen Woods
   Commissioner Hyman Braverman-A (7:55)

   Commissioners Absent

   Chairman Frank Aieta
   Commissioner John Bottalico-A
   Commissioner Giangrave-A

   Staff Present

   Craig Minor, Town Planner
   Andrew Armstrong, Zoning Enforcement Officer/Asst. Town Planner

III. APPROVAL OF AGENDA

Craig Minor: I have a number of items to change. I recommend that we add, under Petitions for Scheduling an application for a zone change at 944 Main Street, Petition 32-19. The application and a reduction of the zone change map is in the folder. I recommend that two items be deleted, the Public Hearing item Petition 25-19, that is the day care center on Faith Road, the applicants are still working on revisions to the plan, so they have asked that it be tabled. Then, the related site plan approval, under New Business, they have also asked that be tabled as well.

Also under New Business, delete Petition 33-19, for Mazzoccoli Way. The Town Council did not vote last night to refer it to the TPZ, so that will be on for a future meeting.

Another item, not an addition or deletion, but Executive Session, which is on the agenda towards the beginning part of the meeting, I discussed this with the Chairman after I prepared the agenda, and the Chairman told me that he would prefer to do that at the end of the meeting, so it will be after Old Business. Those are the changes that I have Mr. Vice-Chairman.

The Commission unanimously approved the agenda, as amended, with six voting YEA.
IV. EXECUTIVE SESSION

A. Dakota Partners Inc. v Newington TPZ

Rescheduled to after Old Business

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

None.

VI. ZONING ENFORCEMENT OFFICER REPORT

Andrew Armstrong: Good evening everyone. Before I get to the report, I have one thing that I wanted to mention. We received a building permit for a pergola at Puerto Vallarta, 2385 Berlin Turnpike. They want to put a pergola over the patio. I just wanted to bring that to your attention, that it didn’t meet the criteria for outside planning modification, but it’s a pergola over the patio, not an enclosure, and I just wanted you all to be aware of it. I do have one new temporary sign application. At 2661, actually I have one new temporary sign application which includes two signs, at 2661 Berlin Turnpike, Mattress Firm. The first sign is just the typical A-frame sign that meets all of our requirements, but the second is an inflatable sign, which also meets all of our requirements. It’s 16 feet in height, they are requesting 25 days and it will remain five feet from the door. This picture is actually taken at their old location, but it shows the inflatable. The permit was just over a year ago, so I wanted to bring it in front of you again.

That is all that I have as far as new signage.

Vice-Chairman Camillo: I see a lot of temporary signs along side of the road. Are you getting any complaints about that?

Andrew Armstrong: I do regular, just riding around, pick up signs, I certain pick them up as I see them, or get a complaint, so if you have any in particular, I do my best out there, if you see any that are giving you trouble, just shoot me a quick note, I’d be happy to take care of it for you.

Vice-Chairman Camillo: Thank you.

Andrew Armstrong: With that, are there any questions about the August, 2019 ZEO report?

Commissioner Claffey: I have a question about the Fenn Road property, Stop and Shop keeps getting sign violations, repeat violations. The plaza, I call it Stop and Shop, Verizon….

Andrew Armstrong: Verizon is by far the most……

Commissioner Claffey: Do we keep approving it for 25 days, or denying it?

Andrew Armstrong: No, actually they have modified their permit, and I have spoken with their manager, and I actually sent them a letter this time, a certified letter, so, to let them know, put them on notice. They put the sign up, they take it back in, and it’s a constant battle for me. I may speak to the Town Attorney to see if there is some remedy there to get to them on the next go-around.
Commissioner Claffey: What about the signs at Stop and Shop?

Andrew Armstrong: They had multiple H-frame signs out there, and they have removed them.

Commissioner Claffey: Seems like you are spending a lot of time on temporary sign violations.

Andrew Armstrong: As Mike said, there are a lot of them out there. Some of them I put in my report, some of them I don’t, but I’m enforcing it as best I can.

Vice-Chairman Camillo: Thank you.

VII. REMARKS BY COMMISSIONERS

None

VIII. PUBLIC HEARINGS:

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. Continued from August 28, 2019. Tabled

IX. APPROVAL OF MINUTES

Commissioner Sobieski moved to accept the minutes of the August 28, 2019 meeting. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with six voting YEA.

X. 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 30-19: Site Plan Modification at 135 Fenn Road, Stanwell Associates LLC, Owner/Applicant, Mathew Bruton, BL Companies, 100 Constitution Plaza, Hartford CT, Contact.

Matt Bruton: Good evening everybody, I’m Matt Bruton, an engineer with BL Companies, and I’m here with Mario (inaudible) who is the owner and applicant of this proposed project. I’ll walk you through the plans and hopefully answer any questions that you may have. Up on the board right now is the existing conditions survey of the property, just to give you some orientation, Fenn Road is across the bottom, the property line is basically a square, a rectangle in this area. The 2.15 acre parcel located at 135 Fenn Road is zoned Industrial and it’s surrounded by parcels and some of the abutters include Extra Storage, a physical therapy office, and Fenn Plaza, and the plaza has a pizza parlor, nail salon, etc.
There are currently two curb cuts on Fenn Road, one centered on the parcel and one tucked in the corner here. The existing structure was currently Elmwood Welding, it's been vacant for a long time before being purchased by my client. There are no (inaudible) on site and topography wise everything slopes from the rear of the parcel towards Fenn Road.

The plan you see here is the proposed additions, so the applicant is proposing a small addition of 2,880 square feet in two separate areas, so the softer pink that you see here is the existing structure. We are proposing two additions in this corner, one is 1700 square feet, the other is about 1100 square feet. In addition to that, we are proposing to maintain the existing curb cut here, and expand this one in the corner of the parcel and pave for the existing parking. There are twelve spaces, there are ten required, so we meet the requirements there. In addition to that, there is a gravel yard on either side of the building, for the merchandise of the business. We propose a security gate along the frontage to block off access to the areas when the business isn’t operating.

All utilities are available on site, gas, sanitary water and electric and there will be no changes to those connections. Storm water management, there is a very limited system on site now. We are proposing a new plan that applies to the 2002 Connecticut Storm Water Manual, the 2004 Erosion and Sediment Guidelines and the LID regulations. We are currently awaiting comments from the engineering department, so we don’t have anything to correct at this time. This is a run down on what we are doing. As I said, all of the water runs down to Fenn Road, and the majority of it pools in the corner here where the system from Fenn Road captures it, so we are making that drainage better. We are also controlling the peak flow by decreasing the impervious area on site, and we’re also providing the water quality by providing a grass swale, water separator and connecting from the parking lot to this system in the lower corner of the site here.

Landscaping as you can see is colored in here as well, the existing dark green forest at the back of the site will not be touched, that will remain in place, a good buffer from the industrial uses surrounding us, and the light green areas will be lawn, and we do have rows of evergreen trees across the frontage as screen to the graveled areas.

I also have some exterior elevations. The existing structure is a block building. The applicant is maintaining the existing architecture with the extensions, so the elevation that you are looking at, this is the small extension from Fenn Road, so it’s maintaining the block and peaked roof, and also there are (inaudible) to this location as well, so it matches the architecture.

As you know, the site has been vacant for quite some time, so this will be a good renovation, and rejuvenation of the parcel. That is a quick overview and I’d be happy to answer any questions.

Craig Minor: I just wanted to mention one thing to make the Commission aware of. The applicant is proposing to maintain the existing gravel surface on the two side yards. The applicant is proposing to pave the parking lot in front as is required in the zoning regulations, but it doesn’t expressly require the rest of the property to be paved. I’m just putting that out there, and if the Commission wants to discuss that with the applicant, this would be the appropriate time to do that.

Commissioner Sobieski: Quick question on the property line coming down, and the driveway is off to the corner, is that all on the applicant’s property or does that property line go straight down and belong to somebody else?
Matt Bruton: This driveway here does cross over the property line, but the applicant owns both parcels.

Commissioner Sobieski: Okay, because it wasn’t clear and I wasn’t sure who owned the other parcel.

Matt Bruton: The hatching on the plan actually covers, and the property line cuts into it right here.

Commissioner Sobieski: So both properties have to be maintained by whoever owns them, they can’t separate and sell them, correct?

Matt Bruton: You could, but there would have to be an easement agreement in place.

Vice-Chairman Camillo: On the northwest corner, there is a spring that comes out of that hill, and it drains out to where you were just talking about, what are you doing to maintain that and keep it from running out onto the road. In the wintertime it ices up, right out to Fenn Road.

Matt Bruton: We discussed that with town staff, that was mentioned. Fenn Road I guess over the past years has spilled over, so the applicant, when they purchased the property and moved in, they actually cleared some of the brush and there was a piping system at the toe of the slope that captured water that wasn’t actually doing that. It was jammed up, they cleaned it out and from their recollection, everytime that a rain event happened, a spill over onto the road hasn’t happened, hasn’t occurred, so they are actually going to maintain that to be sure of that process and then obviously the new, the swale here captures more storm water from the parking lot, that pipes into this and will be responsible for maintaining and cleaning those pipes to make sure they are operating.

Vice-Chairman Camillo: Because it was vacant for so many years, no one was maintaining it, which you will.

Matt Bruton: Exactly. Yes.

Commissioner Claffey: How are you buffering the property to the west? That has all been bulldozed over and added fill, about four to eight feet high from the front of that property to the back of that property.

Mario: We created a berm over there on the left side. I already spoke to the owner of that plaza, when we purchased the property, right after that, and I talked to him about, we cut the trees down that were on the property line, on our side, and we are going to be putting up a fence, a vinyl fence up on the top of that berm.

Commissioner Claffey: How are you pertaining to the fill that you added onto the tree line against the trees, the four feet of fill? Is that on his side?

Mario: No, it’s all on our side. There was a slope from his property down to ours, we just created a berm on our property, made it even to what his driveway is there.

Commissioner Claffey: So, are we buffering it with a fence?

Mario: Yes, on top of my berm.
Craig Minor: There is no buffer requirement, it's all commercial.

Matt Bruton: In conversations with the abutter we have agreed to put up a fence for some privacy between his operation and the parking lot.

Commissioner Claffey: I hope the trees don't die with four feet of fill stacked up there.

Mario: There are no trees, because I cut them all down, the ones on our property. The ones on his property are on his ground. We didn’t put any fill up against that on his property.

Commissioner Woods: This is for Craig. Our regulations only call for a four foot high fence?

Craig Minor: That’s correct.

Commissioner Woods: Really? Even in a commercial setting?

Craig Minor: Yes, I was surprised too when I came across that.

Commissioner Woods: We might want to look at that in the future, it doesn’t make sense.

Matt Bruton: Right now the proposed fence and gates that we have are for security for the applicant’s merchandise that would be stored on site, so four feet obviously......

Commissioner Pane: Are you proposing six feet?

Mario: I would like six feet. That is what I was assuming I would be able to put, a regular six foot fence. Nothing crazy, I just want to secure this so no one can go onto the property. I don’t want anyone to get hurt or anything like that.

Commissioner Woods: Can we change that, or no?

Craig Minor: I don’t think that the fence height is one of the things that you could waive. When the Commission decided years ago to change the waiver provisions to comply with a couple of recent decisions, fence height was one of the ones that they changed.

Commissioner Claffey: The LID requirements are at a later date Mr. Planner?

Craig Minor: Yes, because the Town Engineer has a number of comments that they haven’t been able to address yet, but when they come back with a revised plan, those number will be......

Commissioner Claffey: Put onto a site plan for us to review.

Craig Minor: Correct.

Vice-Chairman Camillo: Is there LID because the parking lot is not going to be paved?

Craig Minor: The short answer is yes, every new project is subject to the LID regulations, now the LID regs contain some relief, in fact there are several places where there is relief and the town engineer has reviewed the plans. I think the Town Engineer acknowledges that this is definitely an improvement from the existing conditions. The gravel, the existing gravel is gravel, it does allow some infiltration, but not very much. In fact, for purposes of calculating the storm water runoff, it's treated as if it were paved. The applicants has installed a bio
swale on the south and the west side, and again, the bottom line of our LID is always to the maximum extent practicable, so we always, at the end of the day work with the property owner to require as much LID is reasonable for that particular site.

Commissioner Woods: Just a question. You don’t have the Engineer’s comments yet?

Craig Minor: I believe he just got them recently.

Matt Bruton: I got your comments on zoning, I don’t believe……

Craig Minor: I’m sorry, no, the engineering department has not gotten to this. They got kind of set back because of the library project, so they have not yet started reviewing these plans.

Matt Bruton: So my goal is to revise to incorporate the Planner’s comments and the Town Engineer’s and any comments that we have gained here tonight.

Craig Minor: That is why I recommended that they come here tonight even though they are not ready, but we could have a dialogue about gravel and landscaping and other issues.

Commissioner Claffey: And with that said Mr. Planner, on the landscaping, is there any landscaping from the road outside of the little parking lot, like to the left side of the double entrance? Or is that just a fence? People are going to drive by and see a fence.

Matt Bruton: We will install a row of arborvitae in the landscaped area, it will only be broken by the driveway.

Commissioner Claffey: Gotcha. Right where you have those black, those are plants?

Matt: All along the front except for the driveway, yes.

Commissioner Pane: How far off the curb are those?

Matt Bruton: The landscaping trees in the front? The private curb or from the Fenn Road…..

Commissioner Pane: From the curb of the road.

Matt Bruton: Just give me a second, I’ll eyeball it for you.

Mario: A fifteen foot right of way, that is what is currently there now.

Matt Bruton: I think it’s closer to twenty, twenty-five maybe. So the trees are on private property, they are not on the right of way.

Commissioner Woods: Is there a minimum front yard…..

Craig Minor: The building, the existing building might even be encroaching, but they are not adding to the front of the building, they are adding onto the back of the building.

Commissioner Woods: It already looks much better, they have gotten rid of the grass area, they got rid of the racks that were there for years and years and years, all of the debris is gone, the site looks a thousand times better than it did.

Mario: A lot of hard work.
Commissioner Claffey: Is the gravel also access for the trucks?

Mario: My trucks will go out of there. Basically, there is going to be raw material to the left of the building, will do the cutting, through to fabrication outside when it is all done, loaded on the truck and then we can head out of the driveway onto Fenn Road to Route 9, because that is going to be ninety-nine percent of the time we are going to go left on Fenn Road, we can’t go onto 84 so......

Matt Bruton: There is a truck turning template in the plans.

Craig Minor: So there will be no action tonight, we will see you next week.

Matt Bruton: Thank you everybody.

C. 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.

Gary Fuerstenberg: I have two large sets and one colored set for the Commissioners to review and a complete set on the PDF like I had the last time. I can hand out those drawings.

We talked about the project two weeks ago, I’ll skim over some of the things that aren’t changing and I’ll spend time to focus on the things that did change. I modified this a little bit from the drawing that you saw two weeks ago, I’m just going to cruise through the majority of them. Again, I didn’t modify this drawing that much, the only change here is the project limits. We are changing the project limits from the east side of the pavement all the way over to the east property line, that is what we are showing in this drawing. It also shows removal of some trees that was coordinated with the town Tree Warden. Some trees were pruned to provide light for the new vegetative screen to go in, and for the screen to grow. A couple of trees were just simply in the way of the improvements that were taking place, particularly the drainage improvements, and you probably heard, oh the trees are great, there is no problem, well, some of the trees were in the way of the drainage improvements and some trees needed to get removed. I’m guessing about a dozen or so.

This is the site plan showing the changes that have been made, and we talked about these the last time. We are adding a shed, we’re moving the dumpsters down to this location here, we’re extending the sidewalk, this little pink square, we’re extending the sidewalk. Right now it’s just a pad that we are showing, and the purpose of extending the sidewalk is to provide continuity from where the sidewalk ends down to the dumpsters.

We are also providing a vinyl fence around the dumpsters to provide, it’s not a four sided dumpster, it’s three sided so the garbage truck can get in from the west side. We talked about the six handicapped spots, we’re providing four, that meets the code requirements for the number of parking spots that are on the site. That allows us to add three additional standard spots in this area here. We will be installing the bollards, the permanent handicapped signs versus the temporary signs that are there now.

Commissioner Pane: There was a forty foot container......

Gary Fuerstenberg: It’s still there. It’s not changed, so I didn’t change it, it’s in black....

Commissioner Pane: So behind the handicapped spaces?
Gary Fuerstenberg: It’s right in this area, right where the hand is. Right in this vicinity.

This is the grading plan and I know that the last time I didn’t have it in contours, to show the Commissioners. I have contours at this point. The proposed contours are in red, the existing contours, they are kind of hard to see, so I traced them in blue. If you follow the red contours, starting down near the Garfield lot, in this area, 87, 88, 89, 90, 91 and up toward the building, 92, so there is about a five foot change in grade, and it all drains to the south, to the drainage structures that we had talked about with the details on the next page.

The dash line, there are two dashed lines here, the fine dashed line is the roof leader, the roof drain. That is going to connect all four of the roof leaders on the east side of the building, and drain down to the Garfield new catch basin here and tied to an existing catch basin here.

Commissioner Claffey: And that catch basin that you are tied into goes out to Garfield?

Gary Fuerstenberg: Yes. The longer dash line, that is what we are calling a subsurface drain. It’s perforated pipe that is below the ground surface. It’s wrapped in fabric, it’s surrounded by stone, the two pipes are actually in the same trench, but it provides sub surface drainage for the whole site.

Commissioner Pane: The catch basin that is on the private property that you are connecting to, it’s not taking any surface runoff, will that change at all?

Gary Fuerstenberg: So the manhole that we are tying into is back here. That is on town property.

Commissioner Pane: No, I’m talking about the, that manhole there doesn’t take any water, it’s a manhole type of drainage system.....

Gary Fuerstenberg: A closed catchbasin, same thing.

Commissioner Pane: It doesn’t take any flow from the top of the ground.

Gary Fuerstenberg: It does have a grate on the top. It’s not a solid lid, it’s just a grate.

Commissioner Pane: It’s a solid man hole. I’ll take another look at it.

Gary Fuerstenberg: This one here. The one that we are going to tie into has a solid, has a lid, but when we, as we do the improvements it will have a grate.

Commissioner Pane: That answers my question. Thank you.

Gary Fuerstenberg: Just a comment about this catch basin that is on private property, the drawings show an easement, but that easement has never been properly conveyed or legally transferred to the town. We technically don’t have access to it. I spoke to the homeowner, Stephanie, and she granted me access to go and pull the grate and look into it. It does have a pipe coming in from the north. So, it’s not part of the town system, it’s not on our GIS system, I can’t really tell you anything more about it, but there is a pipe coming in.

Commissioner Pane: So on a rainy day you could go look at that and see how much water is coming down from the north, that would tell you whether it was kind of working or not.
Gary Fuerstenberg: Right, and if we don't know what it is connected to, it could be the roof leaders, it could be connected to, two of the five properties do have yard drains in the back, I think, I'm convinced that it is a private infrastructure.

Commissioner Pane: It could have been part of a development that was supposed to be transferred to the town, but just never did. The developer could have had to put it in per town requirements possibly, and it is supposed to be transferred over to the town, and maybe it never did, but it's there.

Gary Fuerstenberg: It is there. We see this, what you just described Domenic all through the town, it's so common that these easements just aren't conveyed properly to the town. It's a difficult situation for the town and the home owner to deal with ultimately.

Commissioner Claffey: I have a question. Right where you cursor is, are those drains?

Gary Fuerstenberg: Yes.

Commissioner Claffey: Or are you going to get to that.

Gary Fuerstenberg: I'll get to it, so what I did was, I created a section A and a Section B, A in the lower part of the lot, Section B in the upper part of the lot. These are not to scale, but they demonstrate the concept. In the lower area there is a lot still going on, and you can definitely see the surface drain on the, over toward the eastern property line. This is the subsurface drain, below the ground surface and the swale at the ground surface, and it's showing a berm where the landscape screen will be planted. This first tree is fifteen feet off the property line, the second tree, I'm sorry, the first tree is ten, the second tree is fifteen feet off the property line.

For Section B, there is a little more filling going on out there because it is higher in grade. This is the shipping container that you mentioned earlier Domenic, it just has a steeper grade before it flattens out, just because there is more fill there. There is a steeper change in the grade.

Commissioner Pane: So I went over there and took a look at it before the meeting, all the fill has been done already, is that correct?

Gary Fuerstenberg: No, that is the fill that (inaudible) had brought in, the town, we do plan to bring in more fill to further shape it and to further improve the drainage in that area.

Commissioner Pane: Didn't look like there was any major thing, maybe some finish grading and stuff, but do you still have major fill areas?

Gary Fuerstenberg: I wouldn't say major fill, but in some areas we need to do some filling, particularly the further north that you go, maybe say two feet or so. Trying to provide a uniform slope versus the steep slope that you see now. We're going to try to flatten it out as best we can.

Here is the detailed drainage design. Again, these are the same roof drains, the same surface drains and we end up showing the direction that the water, it's flowing north to south. Once it gets down to the Garfield lot, it's going to have to split, one going in one direction, the other in another direction.
Commissioner Claffey: On that side of the screen, are there catch basin drains in the parking lot itself?

Gary Fuerstenberg: In the library lot or the Garfield lot? On the east side, no, there is no catch basin on the east side of the library parking lot. You can see, there is a catch basin here, and here and here.

Commissioner Claffey: So any water, you are at, correct me if I'm wrong, the top red box, that's what, at 89 feet?

Gary Fuerstenberg: That's elevation 89, yes.

Commissioner Claffey: So elevation 90, all that water is coming where your cursor is, going to the left and down, and then once it gets where you cursor is now, there is no real drain for it, to work it's way back over to the other side where there still is no drain. Oh, there is no curb there.

Gary Fuerstenberg: There is a curb opening right here. Also, there is a curb opening right there too. So, this curb opening collects water from the upper area here, and then this curb opening collects, it doesn't quite cover half of the site, but the rest of the site, and then there is no curb in here, so everything, there is a swale that drains back over into this rain garden here. So, there is no water from the library parking lot that flows toward the east. It all gets contained in these catch basins, and then anything that gets onto the Garfield lot, there is a catch basin over in the corner over here. The Garfield lot does have drainage too. We're looking to make improvements throughout the whole area.

Commissioner Sobieski: The storm leaders from the west side of the building, do you know where they go?

Gary Fuerstenberg: From the library?

Commissioner Sobieski: Yes, I know at the last meeting you weren't sure where they went, if they fed into the existing system or......

Gary Fuerstenberg: The ones on the south side I'm pretty sure they flow into this catch basin right here, which is all part of the town hall project and we don't want to have any more water for the town hall project.

Commissioner Sobieski: That's why I asked.

Gary Fuerstenberg: We're putting an extra pipe on our property within our project limits to not tie into town hall drainage.

Commissioner Sobieski: Did you locate where they tie in. That's what I was asking.

Gary Fuerstenberg: I wasn't able to do that Stan. I'm still not sure, but I'm pretty sure. We didn't have a chance to go out and scope those with the CCTV that we do have.

On the eastern side what is proposed are these three catch basins, above the existing pipe. Our game plan as of now is to really put in the drainage on the eastern side of the site, and evaluate the field conditions this fall and over the winter and get everything that we need for putting these catch basins in on the west side of the site. I would rather err on the side of safety when we talked about this at the public works meeting this morning and we will
evaluate this over the fall and winter and see how conditions deteriorate and then make a decision.
Once the grass becomes further established that should reduce some of the runoff. No matter what we do here, we talked about, we cannot collect all of the water.

Commissioner Claffey: Are you saying the three red boxes or am I misunderstanding and the three red boxes are optional?

Gary Fuerstenberg: At this point they are sort of optional.

Commissioner Claffey: That's a lot of sheet flow.

Commissioner Pane: There is existing drainage there now. He's just not adding new.

Commissioner Claffey: Those three red boxes, are they existing or are they new.

Gary Fuerstenberg: They are proposed.

Commissioner Claffey: But there is existing there.

Gary Fuerstenberg: Oh yes. This box right here and these two black boxes right here. If we need to do something to enhance or supplement the existing system that is there, the comment was to put these catch basins or existing pipes, we're not putting in new pipes and try to run water up hill, I mean ideally you would put catch basins down here, but we don't have pipe down there and we can't pipe the water up hill, so trying to work with the field conditions that we have.

Commissioner Woods: Is the area going to be repaved so that the water flows correctly?

Gary Fuerstenberg: Our plan for the parking lot is to maintain the parking lot just as we maintain any other parking lot throughout town, like we maintain the fire department parking lot, we maintain the highway garage parking lot, we maintain the senior center parking lot. That just gives you an inventory of parking lots that we maintain. We will not resurface it during town hall construction.

Commissioner Sobieski: I walked it in a heavy rain storm and I noticed water came down and bypassed that last catch basin at the curb. It went all the way down towards the rain garden. It looped right around it because it was about a half an inch higher than what was there, so I don't know if you can do anything.....

Gary Fuerstenberg: I was looking at the area right through here, to see how this drains. Some of it, they did hit some of the drains that they were supposed to hit, but it's still under construction, but nonetheless there are tolerances that you need to hit. Our plan for resurfacing the parking lot is to, it's really to evaluate the performance on an annual basis, just like we do every other parking lot throughout town, and when it reaches the end of its useful life, we resurface it. That's what we do.

Commissioner Sobieski: I realize that, but is that, what's there now, is that the final surface?

Gary Fuerstenberg: Yes, that's the final surface that we plan to leave in place to get as much useful life as we can. Hopefully we can get five years, if we get ten.....

Commissioner Pane: You'll get more than five.
Gary Fuerstenberg: We saw that there were some unfavorable conditions during construction, but it is performing quite well as far as I can tell.

Commissioner Sobieski: As I said, Mike and I walked it during a rain storm, and it went right around this way, into the rain garden on the side. (inaudible) that's all I'm suggesting.

Gary Fuerstenberg: The water shouldn't get into this catch basin.....

Commissioner Sobieski: That's the one it's by-passing.

Gary Fuerstenberg: Because there is a curb cut right here, just a few feet north of it. It should hit that curb cut and flow into the rain garden and that's really just an overflow for this rain garden. Once this rain garden fills up, then water would go into that catch basin. I appreciate your observation, when I was out there, there were cars in that area so I couldn't get a good view of it. There is no substitution for real time observations, thank you. These catch basins on the west side, optional is a word that you can use, but we are going to evaluate the need for those catch basins.

Commissioner Pane: Just those three in front?

Gary Fuerstenberg: It's those three and this little guy over here. It's whatever we can't get into the catch basins over here, we'll put a catch basin here to pick it up. If we get everything over here, then we don't need it, but if we do need it, then we have (inaudible) support then.

This is the buffer plan, and this is a significant change from the last time I was here. What we are showing, the thin red line that's showing a twenty-five foot offset from the property line, we're showing, the green circles are the shrubs. It's an arborvitae, the specie is Spring Grove arborvitae is what we are planning to use. They are much bigger than the trees that we looked at earlier. They bush out to ten or twelve foot in diameter is what the specifications show. So we're showing the trees at a twelve foot spacing in the north/south direction. The east/west spacing is five foot. So the first row of trees is ten foot off the property line, the second row is fifteen foot off the property line, that takes 42 shrubs, and 42 trees to cover the whole property line. What we are recommending, are proposing is that we purchase fifty trees, fifty shrubs if some don't make it, but it gives us some flexibility to make some adjustments. I'm suggesting that we install some of the additional trees, put a third row down here behind Stephanie's house. She has, that is the thinnest, so put some additional shrubs down there so this is showing three rows. I guess that first row might be five feet off the property line, to maintain spacing throughout and we're showing a couple of other shrubs up at the north end too. This is for fifty, and the plans show, depending on how you want to tabulate it, the original plans showed 55 or 65 if you add them up, but we are proposing 50.

Commissioner Pane: Question, or maybe Commissioner Woods could answer this, is the Spring Grove arborvitae the same as the Green Giant?

Commissioner Woods: It's a different variety, it actually is a little smaller, so it is easier to control the compact size. It will be twelve to fifteen feet wide, and twenty feet tall, so it's a perfect shrub for this. The Green Giant gets just a little bit bigger.

Commissioner Pane: Okay, thank you very much.

Commissioner Woods: There's a picture of it, right there.

Gary Fuerstenberg: That's seven feet.
Commissioner Woods: It's a substantial plant.

Commissioner Pane: I think that will be a nice buffer for the residents, and I like the fact that you are adding some additional ones where it's thin, that's a good plan. Buy some extra plants and then, if you had to, you could always pick up a few more if you find it too thin.

Commissioner Woods: I guess one of the most important pieces of the puzzle, is the library happy with what we are doing?

Diane Stamm: Yes. Thank you very much for all of your work. I know you were running around since our last meeting.

Gary Fuerstenberg: We saw the cross section of where the trees are going to go, it's going to be on a berm and little to no water is going to leave this site, so, if it falls on the eastern side of the hump could possibly leave the site, but it's really, considering the improvements that we are making.

Commissioner Woods: There is an existing berm there now.

Gary Fuerstenberg: There is and we are going to enhance that berm. We're going to make it taller. This is showing, the light green areas are areas that we are planning to reseed, these four areas up here have already been reseeded, this area down here will get reseeded at some point. We are trying to coordinate this reseeding after we do any drainage work over here. We will have to reassess the schedule for reseeding this area here. The eastern area will get reseeded probably in about three weeks or so. Right now, currently we are starting the drainage work, so the drainage work should be complete this week, and then any sort of filling or shaping or grading I would expect to take place next week, and then the following week is when we want to plant the new arborvitae, do some mulching and hydroseed the area.

Commissioner Pane: Isn't the 15th the cut off date? October 15th?

Commissioner Woods: No, actually November 1st now. It technically is the 15th, but you'll still get germination through the end of the month.

Gary Fuerstenberg: And the fact of the matter is, the town maintains it so whatever needs to be reseeded again in the spring, we will reseed it again in the spring.

Vice-Chairman Camillo: Any further questions?

Commissioner Pane: Very good job. Thank you.

Craig Minor: I don't have a motion, but I think if the Commission wants to approve it, they can approve it without any conditions.

Commissioner Sobieski moved to approve Petition 31-19. The motion was seconded by Commissioner Fox.

Commissioner Pane moved to approve Petition 31-19 Site Plan Modification at 22-26 Mazzoccoli Way, Lucy Robbins Welles Library, Inc. and the Town of Newington, Owners, Lucy Robbins Welles Library, Inc., and Town of Newington Applicant, Tanya D. Lane, 131 Cedar Street Newington CT, Contact per the recommendations of the Town Engineer.
The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with six voting YEA.

Diane Stamm: Thank you everyone. We appreciate the time and effort from you. We'll move quickly on it to get it done.

D. Petition 33-19: Sec. 8-24 Referral of Proposed Realignment of Mazzoccoli Way, Town of Newington, Owner/Applicant.

Tabled

E. Petition 34-19: Sec. 8-24 Referral of Town Acceptance of Open Space Parcel on Mountain Road, Town of Newington, Owner/Applicant.

Craig Minor: This is the parcel, the one in red, which is on the east side of Mountain Road. You can’t see it from Mountain Road, it’s the red parcel. This is the parcel that the State of Connecticut has agreed to give to the Town of Newington as open space. It’s given to us with some conditions, which I mention in the packet, but they are basically conditions that it be kept as open space, that we never try to develop it. Since you are looking at it, I'll point out this green, this odd shaped green parcel. This is the one called the preservation parcel. That is the one that, next year, the current legislative year, the State has agreed to keep ownership of, but give Newington easement over it so Newington would then be in a legal position to guarantee, go to court to ensure that it stay as open space. That will be coming to you, maybe at the next meeting or a future meeting to make a recommendation that the Town accept the conveyance of the encumbrance of the green parcel. It's the red parcel that the State is giving to us in ownership.

Vice-Chairman Camillo: What about the hospital property.

Craig Minor: The hospital property, the State of Connecticut, like the State of Connecticut isn’t just one entity, there are different sections with different agendas as any large organization, but the State wants to sell this property to whoever would buy it to redevelop it as some kind of a commercial use. A hotel, office park, some commercial use, putting it back on the tax roles, I say back, but I don't know that it was ever on the tax roles, but to put it on the tax roles.

Commissioner Pane: Is there a zone there?

Craig Minor: It's currently zoned public land which is a strange zone, the public land zone is whatever is allowed by that organization. A very bizarre zone.

Commissioner Claffey: Would that be a special permit if someone came in?

Craig Minor: Yes. They would probably request a zone change.

Commissioner Claffey: But they would have to come before us regardless?

Craig Minor: Yes, absolutely. I didn't prepare a motion.

Vice-Chairman Camillo: We can do that at the next meeting?

Craig Minor: Yes, I don't see a rush to do this.
XI. OLD BUSINESS

None

XII. PETITION FOR PUBLIC HEARING SCHEDULING

Craig Minor: The property at 944 Main Street which the Commissioners may recall was in front of you last meeting for a home business, it's the same parcel. The owner would like to change the zoning from R-12 to Business Town Center Zone so that he could do more of the kind of business that he does.

Commissioner Woods: Did the ownership change?

Craig Minor: No.

Commissioner Woods: There were two owners, now there are three?

Craig Minor: Good point. The zone change is actually……

Commissioner Pane: It's under Petitions for Scheduling, we really shouldn't be discussing it.

Craig Minor: The owner of the property has been putting this application together for quite a while and I know everyone would like their project heard as soon as possible, I would suggest that you schedule this for your first meeting in October because we really want to try to keep the second meeting in September as clear as possible for Mr. Chalder who will be coming to you with a lot of information at your next meeting, so I'd like to try to keep the September 25th agenda relatively light so Mr. Chalder can have your attention.

Commissioner Pane: Could we come here a little earlier to hear his report? Like start an hour before, have his report and then go into the regularly scheduled meeting at 7:00.

Craig Minor: He has more than a half hour.

Commissioner Pane: No, I said an hour. Starting at 6:00 o'clock to 7:00. That gives him an hour for the Plan of Development, then go into our regular meeting. That's how we did it in the past.

Craig Minor: You could do that.

Commissioner Woods: The zoning change, it's for two pieces of property.

Craig Minor: Correct.

Commissioner Woods: 944 and 15 Ellsworth, which is the one that actually sits on the corner.

Craig Minor: Correct.

Commissioner Woods: Now I get it, thank you.

Craig Minor: Okay, so go ahead and schedule the hearing for the 25th, but what I'm hearing you say is that you want the meeting to start at 6:00 o'clock, the first hour would be for Mr. Chalder to talk about the Plan of Development.
Commissioner Pane: That was my recommendation, I’m not sure that the other Commissioners agree with me or not.

Commissioner Woods: I’d rather have this at 6:00 rather than 10:00 or 11:00.

Craig Minor: Okay, good, thank you.

Vice-Chairman Camillo: Can we go back, I know I said wait until the next meeting, but….

Craig Minor: You could do it and get it out of the way.

Commissioner Pane moved to approve Petition 34-19: Sec. 8-24 Referral of Town Acceptance of Open Space parcel on Mountain Road. Town of Newington, Owner/Applicant. with no conditions.

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

XIII. TOWN PLANNER REPORT

None

XIV. COMMUNICATIONS

None

EXECUTIVE SESSION:

Commissioner Pane moved to go into Executive Session for the purpose of discussion of the Dakota Partners project. Present at the meeting were Vice-Chairman Michael Camillo, Commissioners Domenic Pane, Stephen Woods, Anthony Claffey, Michael Fox, Stanley Sobieski, Hy Braverman and Town Planner Craig Minor. The Commission entered into the Executive Session at 8:05 p.m.

The Commission returned from Executive Session at 9:25 p.m.

XV. PUBLIC PARTICIPATION (For items not listed on the Agenda, Speakers limited to two minutes.)

None

XVI. REMARKS BY COMMISSIONERS

None

XVII. CLOSING REMARKS BY THE CHAIRMAN

None
XVIII. **ADJOURN**

Commissioner Sobieski moved to adjourn the regular meeting. The motion was seconded by Commissioner Fox. The meeting was adjourned at 9:26 p.m.

Respectfully submitted,

[Signature]

Nonne Addis,  
Recording Secretary