NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

October 7, 2019

Chairman Stanley Sobieski called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:05 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 Stanley Sobieski
Commissioner Michael Camillo
Commissioner Anthony Claffey
Commissioner Michael Fox
Commissioner Domenic Pane
Commissioner Robert Serra
Commissioner Stephen Woods
Commissioner John Bottalico-A

Commissioners Absent

Commissioner Hyman Braverman-A
Commissioner Giangrave-A

Staff Present

Craig Minor, Town Planner
Andrew Armstrong, ZEO/Asst. Town Planner

III. APPROVAL OF AGENDA

Craig Minor: A couple of items to be removed, under Public Hearing, Item A, the day care at 55 Faith Road, the plans are not ready to go forward, and then under New Business, the site plan for the same project should be removed from the agenda.

Chairman Sobieski: Any questions from the Commissioners?

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

Chairman Sobieski: Anyone who wishes to speak can come forward as long as the item is not on the agenda. State your name and address please.

Frank Capaldo: I am here because on 8/14/2019 you had Tilcon here. My brother and I were unable to attend. I want to read this letter into the minutes because somebody promised me that they were going to read it on my behalf, but he didn’t. I checked the tape and he did not, so obviously he dumped it under the truck or whatever, I don’t care. Anyway, the problem with the dust and blasting is just as bad as always. We have attempted many, many complaints about the Tilcon dust. There are so many meetings, and the phone calls, we have not accomplished anything. The problem still exists. The Town of Newington, the
elected officials have an obligation to the citizens that (inaudible), to stop the dust and the blasting because they are depriving everybody, every day in enjoying their lives, and creating problems. If Tilcon Quarry, Balf, cannot comply with the stopping of the dust and the blasting which cross the line, the town should revoke the blasting and the operation with a cease and desist order until the quarry can comply with the town instead of (inaudible). We have to repair many times due to the blasting, cracking, and creating (inaudible.) I would have expected the courtesy of a response from a town official. Now, also I have two blasting times that go as far as Francis Avenue, this was a complaint from 62 Francis Avenue and 809 Nott Street, Wethersfield. So this can not be tolerated any longer. You have a job to do and I think you should do it. Also I want to say, the tape, I couldn't see the whole thing, if you were presented with the dust problem and the blast problem, I think you would have a better picture to question the Tilcon person who appeared before you. I didn't see any information about that.

I would appreciate it if somebody will do something, because this is just ridiculous. I have the blasting, so I would appreciate it if you would do something. I don't know what the response will be to present to you the information when you have the special meeting about the Balf Quarry. The whole town knows it, it's a nuisance to everybody. There was no advertisement in the paper, and I think that the people who work near the Balf Quarry, I'm sure there are more people than you think, I don't know what else I can tell you, but you have to do something, because every time we call DEEP they say town official, town official. You gave the permit to Balf, am I right or wrong?

Craig Minor: Well, as the Commission knows and Mr. Capaldo knows, every two years Balf comes before the Commission for an update, and if there are issues outstanding they get discussed at that two year meeting. There was one year where there were some issues, so it did not get approved right away, but ultimately, I don't want to use the word approved because I'm not sure that this Commission has the authority to revoke the permit, but there was agreement based on an agreement a couple of decades ago that every two years Balf would come before P & Z for an airing of whatever issues there are out there.

I do recall, not at the meeting that Balf came to a few months ago, but at a prior meeting where another citizen made a complaint during the public discussion as you are and Commissioner Woods asked me to look into the two notices of violation that DEEP issued to Balf a couple of years ago. I contacted Balf and asked them for copies of the close out report. They gave me copies of the notice of violation, and then I went back and said, that's great, but it's the close out report that I have been asked to obtain, and I have not gotten that from them yet. It is still an issue that the staff is working on, at the request of one of the Commissioners and when I do get that close out report, I will then contact you to see if there is anything in there that is necessary for the town to follow up on.

Frank Capaldo: What I know is the dust and the blast cannot, I'll repeat it, cannot cross the property line. Balf is (inaudible) We're not here to stop Balf from operation, or Tilcon. We are here, the dust, you should look into it through the town attorney or whatever that cannot cross the property line. We are 150, 200 feet from where the blast occurs. Nott Street, Nott Street is across Route 15, so imagine how we feel when that blasting goes off?

Craig Minor: Right, and that is what the violation was, was that the dust was traveling and again, I don't have the final……

Frank Capaldo: What you have to look into is, he does not provide all the time the printout of the seismograph. Some of them are in pencil, so you could do that.

Chairman Sobieski: I'll direct the Planner to look into that and get back to you.
Frank Capaldo: Yes, the seismograph numbers, they are showing 2.5, and why are they putting it in pencil? Thank you for your time.

Chairman Sobieski: Anybody else wishing to come up?

Alex Kochefski, 426 Hartford Avenue, Newington: I am here in basically regards to the same problem that we have over the years. It's not any better. I know that they say that they spent some money to remedy the problem but we, one day we deal with blasting and then we deal with the dust and that is how the week goes. I called many times to the Town Manager to make a complaint and they lady that picks up the phone, she takes the complaint and then nobody ever calls me back, and I've done it probably 45 times, 50 times. Thank you.

Chairman Sobieski: Mr. Planner will you make sure that you get back to these gentlemen? Anybody else?

John Capaldo: I have some pictures. This is the dust. Anybody want to see it? I have three pictures, anybody want to see it? Here's one, here's two, here's three. This is all on the roof. It's a rubber roof, that is why this company is (inaudible) and you have to stop them, one way or the other. You people are the people who have to do it. Everybody comes to you, to the TPZ to get a permit. You can either deny, or approve it. So, if somebody is doing something wrong, you go back and say, you are not abiding by what you say, so this is going on, and there are children going to the school and the dust that is here. Nobody wants to be bothered. So, either you people should do something about it, or there should be a different action because the problem is with the Town Manager. If you people don't do anything about it, what are we to do?

We came to TPZ years ago to build a garage, and they allowed us to do it with the stipulation that if we created any problems, they would come to us and (inaudible) So this company has been doing this for over twenty years, and Mayor Mazzoccoli said (inaudible). When we complained they said, don't worry about it, in twenty years they aren't going to be there any more. Now here we are twenty years later they are still there, they are still creating the same problem and at the meeting there was not even one person who asked the person who represented Tilcon any questions. Nobody! There was no participation, there was nothing. I don't know what you guys are doing, but......

Chairman Sobieski: The Town Planner will get back to you. Thank you. Anyone else?

V. ZONING ENFORCEMENT OFFICER REPORT

Andrew Armstrong: Good evening everyone. I just wanted to make it known that I did have one temporary sign renewal last month for 107 Fenn Road. Ivy Test, they have approval for an A frame sign. I do have one new temporary sign application for 2995 Berlin Turnpike, Super Cuts, a request for a sandwich board sign. They did not provide me with a picture as I requested, but this just came in last week, so they have indicated that it is an A frame sign.

Commissioner Claffey: Is that the Dick's plaza?

Andrew Armstrong: I think it may be the next plaza over, the Joanne Plaza. That's it for that. I do have the September 29th report. Are there any questions on that?

Chairman Sobieski: Commissioners, any questions? Okay, thank you.
VI. REMARKS BY COMMISSIONERS

None

VII. 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. Continued from August 28, 2019. Postponed

B. Petition 36-19: Special Permit (Section 3.2.2: Public Utility Installation) at 301 Hartford Road, Town of Newington, applicant, Balf Company, Owner, Stephen Clark, 131 Cedar Street, Newington CT, Contact.

Chief Clark: Just by way of introduction, Chief Schroeder, and Mike Egan, he's our project architect. Thank you for having us present our plans to construct a new Town of Newington public safety communications. Just by way of background, our present tower currently sits atop the Cedarcrest Hospital building. It operates as a make shift communications tower for police, fire, EMS. We were notified a couple of years ago by the State of Connecticut letting us know that we had to look for an alternative site due to the possibility of the state demolishing the building. It's a 54 acre site, and in the course of that time, they have shut off the utilities to the building. There is power that goes up to our communications site, however all of the other utilities have been shut off, so our public safety communication system isn't really, it's a conventional system that operates off of one antenna site.

Any public safety communication systems are simulcast systems that operate off of different antennas throughout the area. Ours is very, I would say it is old, but it works. The portable unit I have on my belt right now is so old that they don't even make it any more. Our system works, and again, we need the elevation, that letter that I drafted I talked about the elevation of the antenna is very important to our system because we only operate off of one antenna site. We have a backup site at Newington High School should the Cedarcrest site go down, we would operate off of the NHS tower, however we just don't have the elevation there that we have at Cedarcrest, so when we switch over to that tower, there are a lot of dead spots in the different areas of town, and I really don't want to get into the exact locations, but we don't have that elevation.

So when we were notified by the State, we began looking for a new site. We focused on the Cedarcrest ridge line, due to the elevation. We first talked to the State Department of Administrative Services. They were willing, possibly through a conveyance act to turn over a small portion of property at Cedarcrest Hospital site. There would be a number of challenges to that, power, access road. We had some initial talks with Tilcon. They presently have a 100 foot tower there now, and they don't use it any more as well as the utility building. There is an access road that is there, and power is already there, so we focused on that site due to the road being there, the power being there, and the fact that there was a tower there previously.

We worked out a deal with Tilcon, they were willing to lease a small parcel of land at that present site for $1.00 per year for 25 years and we signed the lease agreement approximately a year ago. There has been some work done up there, and as you can see from the letter, one of the concerns was vibrations from the blasting. The Fire Marshal went up there, did some testing, and determined that that wasn't going to be a factor. Initially,
everything looks good as far as, we've done some preliminary studies on the coverage in town, we're going to be up probably another 35 feet from where we are now. The coverage that we get from the new tower will be very similar to the coverage that we have right now. I think, down the road, we'll probably have to look at a more robust system but right now our immediate need is to get off of the Cedarcrest Hospital building onto a new tower. I'll turn this over to Mike Egan, our project architect and he will give more information as far as the site itself.

Mike Egan: Good evening. As the Chief explained we will be proposing a 175 foot self supporting lattice tower, again that would be on the existing abandoned tower and shelter. We would remove both of those, and like I said, replace it with the 175 foot tower that also would require an equipment shelter. Again, the tower would accommodate the antennas that are on Cedarcrest and for the police department and also the fire department. Again, as the Chief explained, it is an existing site, so we are using the driveway up to the tower, a fifteen foot wide access and utility easement which would bring us up to the site where the tower and the equipment shelter is. We would propose a 70 foot by 50 foot compound which would be fenced and secure for the tower and the equipment. We would also accommodate a relocated generator into the site and then the drawings just show the details of our standard equipment for different pieces that would be standard for a compound like that. Utility backboard, power (inaudible) cables from the equipment over to the tower, again, we would have the pad for the generator, and like I said, it will be a prefabricated equipment shelter which would have all of the required equipment inside.
That's pretty much it. As the Chief explained, it's an ideal site and it was previously a similar set up and we are just enhancing it for the fire department and police department.

Chairman Sobieski: Chief Schroeder, do you have anything to add?

Chief Schroeder: No.

Chairman Sobieski: I'm going to open it up to the Commissioners, but I just want to say one thing, I remember (inaudible) pretty much when I was on. Commissioners, do you have any questions?

Commissioner Woods: Would this eliminate the need for an additional tower in the northwest section of town? I know that there were some issues when there had been talk of putting a tower there.

Chief Clark: If we were to look at an additional tower, we would look at a tower in the south end, maybe with another municipality, sharing a tower, but this site here is ideal, it will cover the north end, so that location that you were speaking to, we wouldn't need it there, so between the Balf site and Newington High School, and then if we could get another tower in the southern end of town, or an adjoining municipality share it, that would be ideal, but we would not need that location.

Commissioner Bottalico: How come we never took a look at Cedar Mountain? The one that is up there now, Callahan's?

Chief Clark: We did. Actually I was directed by the Town Council to look into his tower, and his tower is at 93.6 percent capacity, and we would be looking at adding height to the tower, to accommodate our communications would bring it to over the 200 foot threshold requiring FCC approval and lighting.
Commissioner Bottalico: What you are saying is that we might need another tower sooner or later too, right?

Chief Clark: If we need another tower it would be in the south end of town, if we went to a simulcast system, public safety simulcast system. We would then need a tower in the south end of town.

Commissioner Bottalico: What's the cost of this?

Chief Clark: $240,000.00

Commissioner Bottalico: How much?

Chief Clark: $240,000.00.

Chairman Sobieski: Any other questions from the Commissioners? Anyone from the public wishing to speak against this petition? Anyone wishing to speak for the petition?

Frank Capaldo: I am for because the police department, they have to operate fully. What I don't understand, are we going to pay Balf rent because we are using their property, or how is that going to work? I don't understand how this is going to work.

Chief Clark: We signed a lease with Balf for $1.00 per year for twenty-five years at $1.00 per year.

Chairman Sobieski: Anyone else?

Craig Minor: Mr. Chairman, I think we should keep the hearing open until the site plan is discussed more because maybe issues that come up during the site plan review may reflect the special permit aspect of it.

Chairman Sobieski: I’d like to have a motion to keep this open until the next meeting.

Commissioner Claffey moved to keep Petition 36-19 open. The motion was seconded by Commissioner Camillo. The Vote was unanimously in favor of the motion, with seven voting YEA.

Commissioner Woods: The motion was to keep it open until the next meeting. We are going to discuss the site plan later tonight. So, do we have to keep it open?

Craig Minor: Just don't do anything.

Commissioner Woods: Then we can close it and move it forward for action tonight.

Craig Minor: Right.

VIII. APPROVAL OF MINUTES

Commissioner Fox moved to accept the minutes of the September 25, 2019 meeting. The motion was seconded by Commissioner Woods. The vote was unanimously in favor of the motion, with seven voting YEA.
Craig Minor: Commissioners, I know in your packet you also got copies of the minutes from the special meeting. It wasn't on the agenda, but if you could just make it clear that you were also approving the special meeting minutes as well.

Commissioner Woods moved to approve the minutes of the September 25, 2019 special meeting. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with seven voting YEA.

IX.  NEW BUSINESS

A. Petition 26-19: Site Plan Approval at 55 Faith Road, Newington Interfaith Housing Corporation, Owner/Applicant; Robert Small, 85B Faith Road, Newington CT, Contact.

   Postponed

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.

   Not present


Tom Arcari: Good evening, Quisenberry, Arcari, Mallet, Architects, 109 Scott Swamp Road, Farmington, CT. At the last meeting we presented the desire to relocate the property line between the new town hall/community center and Mazzoccoli Way, to share a property line. This is the existing condition survey, it's for reference only. Next page, this is the proposed overall campus site plan. Next page, so this is the blow up plan that demonstrates the relocation of the property line to accommodate the roadway, and I'll just ask Mike to explain.

Michael Erickson: I'm the civil engineer on the project from Diversified Technologies, 2321 Whitney Avenue in Hamden. After meeting with staff in December of 2017, we discussed implementing some traffic calming measures which involved adding the island feature on the cross walk to shorten pedestrian crossing on a traveled way between the library and the new town hall; we preserved the curb to curb limit as it was in the existing condition and we preserved the dead end feature in its existing condition. It has since been removed, for convenience by Downs, as an emergency access, but it is required by their contract to replace it.

So, getting back to our meeting of December, and this was a staff, and the concern was brought to our attention, if there was to be no parking on Mazzoccoli Way, and I have actually witnessed this, many times dropping my children off for summer camps, and there has actually been active police enforcement of the no parking simply because the paved area is quite wide. So we went with a land dividing approach to get the speeds down and this will be like an internal driveway to a parking lot. It was expressed to us that there was desire to leave it open to the possibility of opening this road again, so we did not follow through any road abandonment process. This is still an active street, right of way, we are proposing reducing the right of way to fifty feet, which removes the building encroachment with the exception of a portion of the stairs. Fifty feet is the statutory minimum in Connecticut and with that, we have the plans before us with the hatched area showing the difference in parking lots.
Tom Arcari: So we met with staff and recapped the meetings with Chief Schroeder and the Police Chief who talked about the safety concerns that had come to light, in particular Chris Schroeder had indicated that he was going to have some difficult and some safety concerns with his fire apparatus vehicles with the dead end on Mazzoccoli Way. So, next slide, what we have proposed, and we have discussed this with both chiefs was an emergency egress gate that would discharge to Cedar Street. This would be locked essentially all of the time. This would only be for fire safety egress from the site, so that ladder truck could egress the site under escort conditions. This is the proposed diagram.

The next plan shows the whole site, as currently designed and went out to bid, and represents the conditions that we are proposing. The remainder of the slides are, Craig, back up to discuss a couple different options. Actually if you skip, go one slide forward from where you are, go up, slide number seven, this is the diagram that we showed at the last meeting indicating that we had left the physical corridor in place, the sixty foot corridor in place. That is if in the future the town decided that Mazzoccoli Way corridor was to be reopened to Cedar Street, there is enough physical space to maintain a full sixty foot wide corridor. Right now we have it at fifty feet.

The next slide, slide number eight,......

Commissioner Pane: That sixty foot, is that all land that we own right now or not?

Tom Arcari: That's a good question. The sixty feet corridor straddles some of the library property. So, I don't know technically who owns it, I'm guessing that the library board owns it, I don't know if that is considered town owned, so to accommodate, to get to a sixty foot wide corridor there would have to be an agreement with the library to relocate the property line on the east side of the corridor. To change it......

Commissioner Woods: Do you know where in there, because the town does own some of that property. On the southern part, from Garfield Street up to that existing parking lot, that is town property, and from where the new parking lot ties into the library's new parking lot....

Tom Arcari: It's actually a little bit north of that. Right there, see where it bumps in, so it's actually I'm going to step up to the screen for a second. This is the property line of the library, and it's scootches over and then comes down. We are currently maintaining fifty feet clear in here which is the minimum requirement but if you go to slide number seven, what I'm physically demonstrating is that you could accomplish the sixty foot corridor, and if you go back to slide number six, you would have to basically take ten feet from this portion of the property line and move it over. The upper portion would remain exactly as it is, and then this parcel, I think it's two parcels, this little parcel and this parcel would move over, would have to move over ten feet. I'm not sure off hand who has ownership of this parcel and that parcel. I would guess the library.

If you go to slide number eight, at the last meeting a question came up about the possibility of instead of connecting to Cedar Street, could we put a roadway along the north edge of the proposed town hall building. I wanted to prepare a little sketch demonstrating the challenges associated with this. So the proposed, and actually I didn't prepare it, Michael did, so I don't take credit for it, but the proposed roadway if it was created as an access way on the north side of the building, would be demonstrated in the red hashed area. To accommodate this, we would have to do a number of things that are fairly significant from a technical standpoint. So it is feasibly possible but, number one we would have to move the existing transformer, which is a new transformer that has just been put into place, and potentially submerge the
existing electrical service that is coming into the building, the red lines, running vertical from the front corner of the proposed new building. Number two, we would have to excavate and build two significant retaining walls, one on each side of the roadway, because the gradient is so significant in those areas. Unfortunately we wouldn’t be able to do that with a unilock wall, we would have to do that with a cast in place retaining wall just because the walls are so high. We would have to shore, potentially shore Cedar Street because we are so close to Cedar Street. We currently have put in a telecommunications line that runs, in this diagram between the red hashed area and Cedar Street, that is the fiber line for the whole campus. It comes in from across Cedar Street, crosses over and then runs along down to the police station where we are showing the generator. That would have to be relocated.

The retaining walls, one would have a parapet on it, so the lower wall, the wall closest to the building would have to have a parapet on it because there would be a significant drop off and it would create a well in between the new building and that roadway. The other side, the high side would have a full guard rail along it. So it is physically possible, I don’t have an exact cost, my engineering team has put a cost at approximately a half a million dollars. We would have to get this priced out from construction management team. They haven’t seen this, and based on changes in cost we’re seeing, in fairness, it’s probably four fifty to five fifty is our range of construction cost. Whereas, building the emergency egress way, to Cedar Street is about $50,000.00. So while cost isn’t the deciding factor for this Commission, I respect that, the technical challenges associated with anything are fairly significant and would have significant impact on the project cost.

At the last meeting, it was tabled for further discussion and the goal was to have the Town Engineer here this evening. Chris and the Chief Police are still here, I just wanted to point out that there are a number of concerns at the last meeting, particularly about the roadway. The roadway we decided that the 24 (inaudible) was all right and felt strongly that it presents a better solution to the site, and both the Police Chief and Chris Schroeder, they submitted letters to you indicating that they had reviewed the design as we proposed it, they found it safe, safe condition, and Craig, I don’t know if the full committee has those letters?

Craig Minor: They got them at the last meeting.

Tom Arcari: Okay, thank you. I don’t know if the committee had time to review where we were last week and have any additional questions for us that we could answer now that I have my engineering team here this evening.

Chairman Sobieski: Are there any questions from the Commissioners?

Commissioner Camillo: At my request, the Town Engineer looked at this also, we had asked for some notes. You say that the grade is too much the first time we looked at it. The way that they look at it, and they looked at it again, and they came up with some drawings and during the site work and knocking the existing building down, it wouldn’t cost as much as where you are right now. They came up with $150,000.00. They aren’t doing the same thing that you are, looks like, I can show you these, you can take them with you, it’s just a conceptual, an idea, I showed it to Chris and I showed it to our Chief and everybody here has seen it, so......

Tom Arcari: I haven’t seen that, I’d love to take a peek at it.

Commissioner Camillo: Sure, I have a copy here for you. I have copies for everybody.
Tom Arcari: Very similar, and basically in the same position. It again, it’s not that it is physically impossible to accomplish this. It’s, we think, it’s financially improbable but again very close to.....

Commissioner Camillo: A lot of things have been said, get the building up, we’ll fix it later. Well, I just did this so we can go forward once, and I’m presenting it to you, you’re the expert here, and I just had a vision. That’s all.

Tom Arcari: I don’t think it’s a bad idea, but all I can say is that it is an idea that we explored originally in some of the very early schemes. It was taken out of the approach because of the cost factor. We struggled to get the cost of the project down where it was going, and when we were going through the design engineering process we had retaining walls in that area to accommodate a roadway. We took the roadway out and left the retaining walls because we were going to bury, we were going to put the generator down behind the retaining wall and in the corner, a very good spot for the generator but the construction management team advised us, very strongly, to remove those retaining walls because the magnitude of the cost of the retaining walls was a couple hundred thousand dollars, just for the retaining wall.

Commissioner Camillo: There is no way to build up the existing wall from the building that is there, the foundation?

Tom Arcari: No, the retaining wall could essentially come off of the foundation, that probably would have been constructed originally, so again, it was physically possible, and it was explored, it was just.....

Commissioner Camillo: My biggest concern is later, when this is all done, and we have a problem, what are we going to do? It’s going to cost three times as much, and it has to be done. This might be something that the Council might go back and look at after approval tonight.

Tom Arcari: Sure, I just don’t know if it would have to be done from a safety perspective in the sense that.....

Commissioner Camillo: You are bringing up cost now, if it has to be done later, it could be three times that.

Tom Arcari: Agreed, I think.....

Commissioner Camillo: For the convenience of the residents and the employees of the Town, we don’t want to do that, so.....

Chairman Sobieski: Any other Commissioners?

Commissioner Woods: I think Commissioner Pane talked to you at our last meeting about the sidewalk from the front of town hall down to Garfield Street. I believe that you said that was feasible.

Tom Arcari: It’s very feasible, and I thought that was actually a good idea. I don’t want to spend any money because I’m really under the thumb of the committee, but I don’t think that is a bad idea at all, and physically it’s very viable.

Commissioner Woods: I think some of the situations that you fell into, but the road actually was a bigger (inaudible), thirty-five, forty years ago when it was a high school. When it was a
high school, Garfield Street wasn’t a thru street, it was a dead end street, it stopped at the edge of the park. So where that parking lot is, that was the end of Garfield Street. It was paved, but there were barriers there because Mazzocchi Way, back then aka Mill Street, you could come off of Cedar Street, onto Mill and you could loop right around and that wide curve that you see, that was the road, and the rest was high school parking, we used to park our cars in there. So then the town shifted it, probably thirty years ago, and maybe forty-five years ago, and then they realigned it because there was no need to abandon it, because they felt it would never be used again, and now you are putting a building on a roadway, but that roadway really hasn’t been used in forty years. It doesn’t have to be a (inaudible) going out, we put in a diverse egress out to Cedar Street, the problem, we solve the problem for the Fire Chief, and I see that the Fire Chief is shaking his head, it gets a short cut, that’s what he wants to do. I’m sure he would love to be able to drive around the building, get in back if there was an emergency there, but you guys can take that up with the Town Manager and maybe there are funds for that. But as you say, the fiber optics have been brought in, some of the utilities are in, so I guess we should have started this discussion much earlier.

Chairman Sobieski: Anyone else? Chief Clark, Chief Schroeder, do you have anything to say?

Tom Arcari: About the comment that it would have been nice to have this discussion earlier, I would just like to point out that we had this discussion with town staff multiple times. I don’t have a timeline with me showing you how we went through it, but we had an 8-24 hearing in 2017 with plans very, very similar with the road running 24 feet, it was reviewed for the Board of Ed approval, municipal approval by town staff, and signed off. The roadway was the same width, the same configuration. It was also reviewed for the building permit process and approved in the same configuration. I know it would have been great, and we have new minds looking at this, but it’s been looked at multiple times in its essentially current configuration.

Commissioner Woods: I didn’t mean that in a negative way, if it came out that way, I apologize, that wasn’t my intent.

Tom Arcari: I understand that, I just, again, you look at things once, twice, three, four, five times, and maybe something new pops out, and this is a change. We’re asking for a revision of the property line so certainly we can look at it again, but from staff’s perspective it has been looked at multiple times.

Commissioner Camillo: One other thing, when this goes back to the Council, maybe they could talk about taking this from the Town Manager and back to the building committee and I think it would, might move a lot faster and you would get the answers you need when you need them also.

Tom Arcari: Keep in mind, I’m a technical advisor, and I have strong opinions but I march to the tune, the direction that the Town gives me and....

Commissioner Camillo: Then this should go back to the building committee. Thank you.

Commissioner Pane: I was wondering if you could just clear up the road specifications for the parking area. I’m really concerned with very minimal impact on the library land and I would not want to go to a sixty foot right of way in the future because it would be a large impact on the library land. I’d like to see the fifty foot right of way work. You have parking on both sides. Is there, between the parking spaces at that end, is it 18 or 24 feet proposed and
is there any sort of hammerhead for people when they come down the road and all of the spaces are filled, how will they turn around?

Michael Erickson: I'll take the hammerhead first. There is a hammerhead before we started construction and that's being preserved. The parking stalls are nine by eighteen with a twenty-four foot driveway, and no parking at all along Mazzoccoli Way. That is going away. You can fit a lot in fifty foot. The sidewalk could be pushed right up to the property line, it's not there now at that pinch point. If there was a desire to change this in the future, I don't see the need for sixty foot, there's everything that you have got in this area.

Commissioner Claffey: To clarify that hammerhead, is that lighter gray.....

Michael Erickson: No, that is actually a remnant of the connector we were putting in to bring this parking area over to the town hall parking area. If you remember the initial closure, that piece did not exist.

Commissioner Claffey: So where is the hammerhead now?

Michael Erickson: Right to the east of that. There is no striped parking in that area.

Commissioner Pane: You mean this area here?

Michael Erickson: Correct.

Tom Arcari: If you go to slide five, you can see just below the yellow area, there is no parking in that area, so physically a car or a van can make a K-turn and go out. We could potentially, and we talked about this, with staff, we could potentially, if you go back to the other slide, I mean, potentially we could take one of the parking spaces and hatch it in the upper most northeast parking spot where cars could pull into it, and then back into the north and then drive out. So that would provide a more formal sort of hammerhead, a traditional hammerhead configuration.

Commissioner Camillo: Right here is your new property line, does the building overhang, or just the stairs?

Tom Arcari: That is correct, in that area the exterior stair overhands the property line by eight feet.

Commissioner Camillo: Right and that is what you are here to do, is get this done, just like planning for the future, don't just put the fire out today.

Tom Arcari: We could clear that up.

Commissioner Fox: Mr. Arcari, how would a forty-five foot piece of fire apparatus be able to negotiate that hammerhead if it had to.

Tom Arcari: It actually wouldn't. It would go to, if you go to slide five, we would actually be incorporating a gate, an emergency egress way so all fire apparatus could essentially go to this dead end, respond to fire at the library or the town hall, and then they would open the gate, the public safety staff would have access to the gate, they would open the gate for egress to Cedar Street. Now I talked about this with the Chief and they said this would happen essentially under escort and if it was heavy traffic time, the police department could come and assist the fire department.
Commissioner Fox: That was one of my concerns with the gate opening up onto Cedar Street. I failed to mention before that there will always be someone attempting to go in from Cedar Street.

Tom Arcari: We essentially configured this in such a way that cars coming east on Cedar Street couldn’t turn in there because it is actually more than a ninety degree turn, it’s coming backwards. One of the things that we did talk about is potentially planting a better buffer there, so that visually you can’t see any access road there. There is no traffic going in and out of there, so there is no line of sight issue aside from exiting with the safety vehicles.

Commissioner Fox: Obtuse angles in this town doesn’t mean anything. Just look at McDonalds. Thank you.

Chairman Sobieski: Any other Commissioner comments? I’ll open it up to the public. Public participation?

Diane Stamm, 194 Stepple Chase Drive, President of the Board of Trustees of the Library: A couple of things, first I want to say that I am very disappointed in the Town Council and in the town hall renovation committee because I hear all sorts of changes from the first time we saw a plan, and I’ve heard from innuendo a few things have changed, and I saw in the meeting notes when I saw Mazzoccoli Way, focused on it and that is why I came here. I think this town needs to do a better job when they deal with inter-departments and should communicate with the owners of the land. That was not done here. It was not done at all. The last time I saw plans, Mazzoccoli Way was wide enough to allow that parallel parking. So that is my disappointment. From now on, hopefully everybody takes that as a learning experience to have better communication in this town.

My concern is about safety. I’m not necessarily against the gate, that goes through. I think that was a good idea on how to get the trucks out because obviously they don’t have room to turn around. Some of my concerns are we noticed that it was mentioned earlier that we did have to take Mazzoccoli Way and put a turn in into the upper town hall parking lot because what happened was, what you are referring to as a hammerhead turn, had cars parked there. If there are cars parked there and we have a safety issue, the fire trucks are not going to get out and there is going to be some kind of a (inaudible). If we have cars parked there, it’s going to be hard for vehicles, whether they be delivering (inaudible) or just parked, it’s going to be difficult to pull in and pull out. I think those are things that should be looked at and discussed. I appreciate that this Commission is looking at things and taking things seriously, looking at different alternatives. I’m not sure you have the final say. If you have the final plans there needs to be something that will stop people from parking on that hammerhead and there needs to be a way to maintain spaces and a way for vehicles to turn without having (inaudible).

Commissioner Pane: Can I ask her a question?

Chairman Sobieski: Sure.

Commissioner Pane: How do you feel about the parking on the street? If you had no parking on the street and they could make up some parking over on the new parking area that was just made recently for you, would you feel more safe to not have the parking on the street, or not?

Diane Stamm: The parking was put in as a temporary parking in the area where the library is going to expand. That will bring a couple of problems. From what I heard on the taped
version you determine the number of parking spaces based on the square footage of the building and the occupancy. When that renovation happens, and I don't know how familiar you are with the new parking lot, but in that circle, turn around area, the reason that it was designed that way was that the idea that expansion would come out, but we don't know, because the library expansion committee is on hiatus until we figure out the town hall, because they chose not to try to look at those two things together. I think we are seeing some problems there. I don't know what is going to happen to the existing door, will that be a delivery door, will that still be maintained as an entrance so that you have some kind of a campus effect, we don't know what that end result is going to be. Putting more parking in, you are getting real close to a buffer, and I learned more information about buffers and building and replacement of trees than I did two years ago so my concern is planning on building a parking lot on land that is not owned by the town, I'm not trying to be difficult about the land, but I don't even know, clearly, what land you are looking at. Are you talking about two feet next to a sidewalk?

Commissioner Pane: I wouldn't want to impact your building.

Diane Stamm: I appreciate that.

Commissioner Pane: Looking at the property that the Town of Newington owns, on Garfield, I believe there is room to add more parking over there. So it doesn't interfere with your addition. That is what I was proposing.

Diane Stamm: There was an original plan before budget cuts on the plan, to tie the existing Garfield lot and the library, the new proposed library lot in there. We all know that people will park anywhere, whether it's a community event, Mill Pond event, library event, or anything else, if there is a parking space anywhere close people are going to take it. The more parking we can get in there, so much the better. I think, we have more and more programs at the library. One of the things that we were concerned about is that with all this construction that library use would go down. It's actually gone up. So loosing parking spaces or to do anything from that area is, I like the idea of more parking, we can talk about that. I'm not clear on the way that you say some line has traffic, and that land is owned by the library. I'm very clear that land is owned by the library, I'm not clear on what they are looking for and some kind of an easement or what have you to make that road wide enough so that it is sufficient for the amount of traffic that goes through to the turn around. I haven't been officially approached or discussed anything that is being planned or voted on.

Chairman Sobieski: Thank you. Anybody else?

Commissioner Fox: I do appreciate the comments here, but technically this is not a public hearing, should we be accepting testimony?

Craig Minor: The Chairman has the authority to allow comments similar to a public hearing.

Rose Lyons, 46 Elton Drive: That is the question that I was going to ask, I was confused enough during your special meeting, and I will talk about that later, but this is getting even more confusing to me. I know that you are new to this, and you specify that you are allowing the public to participate, thank you.

Craig Minor: This is an 8-24 which is kind of a different creature.

Rose Lyons: I know, but I have never seen on an 8-24 public participation.
Chairman Sobieski: This will be the last public comment.

LeeAnn Manke, 112 Northwood Road, Treasurer of the Library Board: I have been involved in the parking lot construction, and have been before you about the trees and the buffer issue that came before you last month, and previously. I’m just concerned about this road. We have not been contacted, which is very disheartening, for a discussion of the use of the library land. That is really hard to deal with. I love this town, but I’m not really happy with it right now.

The concern I have is, in terms of Mazzoccoli Way, that hammerhead issue and the turn aspect. We, prior to the turn around that happens in the upper parking lot previously, we had accidents, people parking in the area, everything, and I do think that needs to be a concern, but I also am concerned that this is a first step to reopening Mazzoccoli Way. That was a real safety issue. We had people going thru there as a short-cut to get off of Cedar, to get away from the traffic, which is always very very busy, and it is a parking area, so we have our handicapped parking there, the ADA parking, children in strollers, and things like that, so I want to make sure that that is also a consideration as you look at this. That this is not just a stepping stone to re-open Mazzoccoli Way to Cedar Street. Thank you.

Commissioner Woods: I think, while we are showing a right of way, that road could be turned back into a public thorough fare from Cedar Street to Garfield, they are not really talking about doing it. It’s just a plan in case something happens, the library moves, the town hall moves, that paper street could then be turned back into a road, and at that time, to do it, then discussions with the library board would occur. Not until. There is no plan to open this road up. This is just trying to make sure, if in fact it is going to become a through fare, not a driveway into our complex, it will eventually go back into Cedar Street, but there could be a plan put together that will allow that to happen. That is not on the table.

Chairman Sobieski: That’s correct.

Commissioner Bottalico: I have a question for Chief Schroeder. All of the apparatus that enters Mazzoccoli Way, is that going to egress out to Cedar Street? Or will the tanker trucks be backing down?

Chief Schroeder: Whenever you back up apparatus, you have sight issues. You take one or two firemen behind the vehicle to safely back that vehicle up, and with a ladder truck, it’s much more difficult. It’s more of the placement of the ladders, to be able to get to the town hall and the library.

Commissioner Bottalico: So basically you are going to egress to Cedar Street with the apparatus.

Chief Schroeder: That road will actually, in my mind become a fire access road. There will be no parking on either side, except in designated spots, and it will be available for emergency vehicles.

Commissioner Bottalico: The reason that I ask that question, if you have an United Parcel truck pull in there, how would he turn around. Some of them trucks are pretty big. I can see a motor vehicle, but when you get into the UP trucks, they are pretty large.

Commissioner Fox: That’s a good question. I think it also kind of leads to something that I was thinking that maybe the gate is not the way. A UPS truck, as you said Commissioner,
might not be able to negotiate that hammerhead and so it leads me to think about the access road.

Commissioner Camillo: The access road has traffic both ways and keeps things flowing. You go up here looking for a space you are stuck here at the end of the hammerhead because there are no parking spaces, you would have to come all the way back, and if you had that access road, it would be two ways, and it wouldn't affect the traffic flow of the police station parking either. It would be a separate lot, separate access. Things like that too, for the future, we have to protect our officers so that they can come and go during emergencies too. So, I don't think the gate really works, but that is something to be looked at. We are just here for this property line, really.

Tom Arcari: If I could just respond to some of the comments. In regards to the UPS truck and delivery trucks, they are designed to maneuver through the parking lot, (inaudible), that's what we have in place. Box trucks would be able to, UPS trucks would be able to pull in to one of the spots, make a K turn out. We could, as I mentioned I think it's a good idea, we could stripe one of those areas for turn around only.

In regard to the comment about parking in the fire lane. That area would be striped as a fire lane, and enforced as a fire lane. I can't promise that no one will ever park their car and leave it there, but there are penalties associated with that. I presume the Chief can tell you what those are.

In regards to the on-street parking, and Diane's comments about on-street parking, I just wanted to tell you that we went through a long process of communicating with the library and the library board about this scheme. This scheme has not changed since we presented it and received approval, not just for Mazzoccoli Way corridor and the parking at the end of it, but also for the library parking which is shown to the right of the new drop off. In particular, the parking at the end of Mazzoccoli Way, the primary goal of that was to provide handicapped accessible parking for both the library entrance and the second floor of the town hall. We were able to provide some additional parking and then a dedicated parking area for Human Services Department. The Human Services Department is in the middle of the plan, on the eastern side of the building, and this was to provide a discretionary entrance to the Human Services so people could use that without having to actually go through town hall. It's always been in this configuration. Never ever was there on-street parking on Mazzoccoli Way because we were specifically asked to eliminate that component.

There are no proposals to change the library property line at this time. There has been a lot of conversation at the town building committee level, about what could happen. We have been stressing this particular issue, town staff, the engineers have been talking about it, but there is no formal proposal to move that property line. If we were going to do that, we absolutely would have to go to the library board and that would be a conversation, and as mentioned, there was no, it wasn't the intention of this project at any point in time, and I said that from day one, to connect the Mazzoccoli Way corridor to Cedar Street. If I am directed to do that by the Town, then that's another issue.

Chairman Sobieski: Any other Commissioner comments?

Commissioner Claffey: As a sitting member of the building committee, the parking was discussed between the board and the building committee and it was addressed on multiple occasions like the architect has stated. The access for the community services was a big item that we discussed on multiple occasions, and we are rehashing this probably for almost a year now, and it hasn't been resolved.
Commissioner Woods moved Petition 33-19 to Old Business for action tonight. The motion was seconded by Commissioner Camillo. The vote was unanimously in favor of the motion, with seven voting YEA.

D. Petition 37-19: Site Plan Approval (Telecommunication Tower) at 301 Hartford Road. Town of Newington Applicant; Balf Company, Owner; Stephen Clark, 131 Cedar Street, Newington CT, Contact.

Craig Minor: We received the plans for this late last week, and the Town Engineer was given them late last week. I have them, the staff has not completed it’s review of the plans so, and I know that the Chief is looking for a decision tonight, so I suppose what I was to suggest to the Commission is that they approve it, the site plan approval with the stipulation that whatever comments the Town Engineer may present be reflected in the revised plan. I don't have a draft motion for that.

Chairman Sobieski: Any Commissioner comments?

Commissioner Woods: We are using the existing driveway, correct, and the existing building?

Craig Minor: Mr. Egan, do you have the plans? Thank you.

Mike Egan: We are using the existing driveway, but we are demolishing the building there.

Commissioner Woods: That’s right, you said you are putting up a pre-fab building.

Mike Egan: Right, Pretty much everything else is the same, so yes, there will be a pre-fabricated building.

Commissioner Woods: Are you looking to pave the driveway?

Mike Egan: No, it’s gravel.

Commissioner Woods: All I’m trying to do is to make sure there are no big surprises if we pass this on the condition of the Town Engineer’s comments.

Commissioner Claffey: You have the curb cut, are there specific modifications that are being made to a curb cut?

Mike Egan: As I said, it’s a dirt road. If you go to the road to the end, where the gate is, if you go through the gate, and then you go up a short distance, and then the access road is on the left, so there is no pavement.

Commissioner Claffey: Just want to make certain that there is modification with the town curb cut.

Chairman Sobieski: Any other Commissioner comments?

Commissioner Woods: Does this go all the way up on the north end? Does it loop back down and around?
Mike Egan: If you go to the end of Russell Road, go past the hospital and you will see a gate there. You go through the gate and a short distance up on the left is the access road and it runs parallel to the state property line.

Commissioner Woods: Thank you.

Chairman Sobieski: Any other questions? I'll open it up to the public and see if they have any questions. Any questions from the public?

Commissioner Pane: The site plan doesn't go to the public.

Chairman Sobieski: Okay, sorry.

Commissioner Camillo moved to move Petition 33-19 to Old Business. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with seven voting YEA.

Craig Minor: Mr. Chairman, the special permit is still open, nothing came up during discussion of the site plan that would make the special permit problematic, but we should go back to the Public Hearing and close the public hearing for Petition 36-19.

Commissioner Claffey: Do you want me to read that again?

Craig Minor: Yes, please.

Commissioner Claffey: Petition 36-19: Special Permit (Section 3.2.2: Public Utility Installation) at 301 Hartford Road, Town of Newington, Applicant; Balf Company, Owner; Stephen Clark, 131 Cedar Street Newington CT, contact.

Commissioner Camillo moved to close Petition 36-19. The motion was seconded by Commissioner Woods.

Commissioner Woods: And move it to Old Business for action tonight.

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

X. OLD BUSINESS

Craig Minor: Usually you approve the special permit first, and then the site plan. I don't have draft motions for this.

Commissioner Pane moved to approve Petition 36-19 Special Permit (Section 3.2.2: Public Utility Installation) at 301 Hartford Road, Town of Newington, Applicant; Balf Company, Owner; Stephen Clark, 131 Cedar Street Newington CT, contact.

Conditions:

None.

The motion was seconded by Commissioner Woods. The vote was unanimously in favor of the motion, with seven voting YEA.
Commissioner Pane moved to approve Petition 37-19 Site Plan Approval (Telecommunication Tower) at 301 Hartford Road. Town of Newington Applicant; Balf Company, Owner; Stephen Clark, 131 Cedar Street, Newington CT, Contact.

Condition:

1. The Town Engineer must review the site plan.

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

Petition 33-19
Sec. 8-24 Referral of Proposed Modification of Mazzoccoli Way
Town of Newington, applicant.

Commissioner Fox: Mr. Chairman, point of order. Before we make a motion to vote, Commissioner Camillo's position in the suit again the Town of Newington regarding the town hall and additional money, I would propose that he has a conflict of interest and should recuse himself.

Commissioner Camillo: No, a conflict of interest would be me feeling that there was a conflict, I'm not against the town hall, so I will not recuse myself.

Commissioner Fox: Thank you.

Commissioner Woods: I move to issue a favorable report on the proposed Modification of Mazzoccoli Way, with recommendations. Town of Newington, applicant.

Findings:

1. Mazzoccoli Way currently provides vehicular and pedestrian access to the main entrance of Lucy Robbins Welles Library and to the second story of the Town hall; as proposed it will continue to perform those functions. No provision appears to have been made for bicycle access.

2. There is currently no vehicular access to Cedar Street, the proposal adds a locked gate so that emergency service vehicles can exit onto Cedar Street eastbound.

3. Mazzoccoli Way currently provides for one-way traffic with angled parking on both sides of the northern third; the proposal is for two way traffic with straight parking.

4. Currently traffic returning to Garfield Street uses the town hall parking lot to the west, as proposed such traffic will turn around within Mazzoccoli Way.

5. The width of the travel-way (aisle) between the exiting rows of angled parking is approximately 18' existing; the proposed width of the aisle is 24'.

6. The current width of the travel-way south of the parking area is 36'; the proposed width is 24'.
7. The current ROW width varies from over 100' at Garfield Street down to approximately 60' at the midpoint; the proposed ROW width is 50' at the narrowest point but with an encroachment of two feet into the ROW at the southeast corner of the new Town Hall building.

8. There are currently a total of 90 parking spaces on Mazzoccoli Way and the Town Hall parking lot to the west; the proposed plan shows a total of 22 parking spaces. Significantly fewer vehicles are expected to use Mazzoccoli Way after the project is complete.

9. The layout plan (Sheet C.300) for the Newington Municipal Center does not appear to provide sufficient parking for simultaneous events at town hall, the gymnasium and the Lucy Robbins Welles Library.

10. According to the subdivision regulations of the Town of Newington, there are five “street classifications” in Newington.

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<thead>
<tr>
<th>Street Classification</th>
<th>Minimum R.O.W. Width (Feet)</th>
<th>Paved Width (Feet)</th>
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<tbody>
<tr>
<td>Arterial</td>
<td>80’min</td>
<td>36’ min</td>
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<tr>
<td>Collector</td>
<td>60’</td>
<td>30’ min</td>
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<tr>
<td>Commercial</td>
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<tr>
<td>Local Residential</td>
<td>50’</td>
<td>25’</td>
</tr>
<tr>
<td>Residential Access</td>
<td>50’</td>
<td>24’</td>
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Mazzoccoli Way is in the R-12 Zone so it could be considered a “Residential Access” street, but a more accurate classification would be “Commercial” since it will serve two major municipal activities and no dwellings.

Recommendations:

1. The Town should consider revising the plans as follows:
   a. Extend the proposed concrete sidewalk on the west side of Mazzoccoli Way down to Garfield Street.
   b. Revise the boundary to provide a full, unobstructed 50' ROW throughout.
   c. Either eliminate the on street parking, or provide a hammerhead or other turn around area.
   d. Provide for bicycle access to the Town Hall and to Lucy Robbins Welles Library.
   e. Create a driveway on the north side of the property connecting the end of Mazzoccoli Way with the future parking lot to be constructed west of Town Hall.
2. The Town should prepare a long-term parking plan that addresses the parking needs for participants and spectators at simultaneous events at the Town Hall, the gymnasium, and the Lucy Robbins Welles Library.

The motion was seconded by Commissioner Pane.

Chairman Sobieski: Discussion?

Commissioner Claffey: Explain to me the difference between the findings and the conditions.

Craig Minor: The point is, it's just a summary in written form of the things that you learned when the presentation was made, about the proposal, and then the recommendations are just that, recommendations.

Commissioner Pane: We are revising the boundary to provide a 50' right of way, I don't think that should be a recommendation, that should be the minimum that we, if we don't want the sixty foot because it would be too much of an impact on the library, but we definitely want an unobstructed fifty foot right of way. We also I think it's important to have a sidewalk for pedestrian safety. Should we go through these and make them so they are more as conditions, instead of recommendations?

Commissioner Claffey: I have a question for the Planner. Was the original 8-24 referral to us that is on the record, is it the property line or is it the changing of the size of the road? It would be nice if this went back to the building committee so that they could have that discussion.

Commissioner Pane: I think that, I know it makes a lot of sense to go around the building, with the road going around the building and other parking, but I don't think that is going to be considered by the Council. So I'm wondering, do we take that out and all of the other things in here for us to be favorable? Do we want to have more, we definitely want these things for it to be favorable is what I'm saying.

Commissioner Woods: I think we have a fifty foot right of way already, correct? I believe that is what......

Craig Minor: Except for an encroachment of a couple of feet by the building. Right, what was presented tonight appears to address that.

Commissioner Pane: No, no, he said that it still was obstructed I believe and he would have to look at......

Commissioner Woods: Sixty feet was shown, and we were only looking for fifty.

Craig Minor: You could ask him to come back to clarify that.


Mike Erickson: The right of way shown is fifty feet with an encroachment of the stairs only from the building of about two feet.

Commissioner Pane: We don't want any encroachment I don't think in the right of way.

Commissioner Claffey: There is no condition here on the property line?
Craig Minor: Yes, that is the boundary, the property line, the right of way. You can change the wording.

Commissioner Claffey: It is the specific on why we have the 8-24.

Craig Minor: Yes, but it is considered, you could use a different word such as, revise the property line to provide a full unobstructed fifty foot right of way, that would be fine if that is what you would like to do. Does the maker of the motion consider that a favorable amendment, to change B, to revise the property line to provide a full unobstructed fifty foot right of way.

Commissioner Claffey: Then we would get one of the things from the 8-24 resolved.

Craig Minor: It's the same thing, there is no difference, but you would prefer to use property line. The boundary is the property line. That is what a boundary is, a property line.

Commissioner Woods: I think boundary is the appropriate word because the actual owners of the property on both sides is the Town of Newington. The Town owns both.

Commissioner Claffey: They don't own to the right of the parking spaces, or the right of Mazzoccoli Way.

Commissioner Woods: We're on, we're not moving off of our property.

Commissioner Claffey: Then how are we getting the sixty feet?

Commissioner Woods: We're not. That's future reference, it has nothing to do with what we are talking about.

Commissioner Claffey: That's not how it was presented to the building committee, just to let you know.

Commissioner Woods: I would agree with you on B, I don't see any need to put in (inaudible) in there because these are recommendations, so no harm, no foul, so I don't think that is going to go anywhere. I'm the maker of the motion, and I have no problem. I have no problem with making a condition of the sidewalks, because I think they will basically agree with that, understanding that the sidewalk is a significant, important piece for access, so I have no problem with making that a condition instead of a recommendation. As to the fifty foot, I'd like to agree with you for the time being with the stairs, I'm okay with that.

Commissioner Pane: You wouldn't have a proper road then.

Commissioner Woods: Correct, and I understand that. We're not using it as a proper road, we're using it as an access, driveway to a municipal complex. I understand that it could be turned back into a road, and at that time they would need to address that, but I don't think we should do that now. That's just my opinion.

If we were turning it into a road, and we were going to have a through fare there, then yes, that would be different. I believe it will work the way that it is and they will keep it as it is. I want to keep this going before I get too confused. As the maker of the motion, I have no problem with B, and as the second Mr. Pane, do you agree with that.

Commissioner Pane: So far, I'm following you so far.
Commissioner Woods: Now collectively now, as a group, from the person who made the motion, the sidewalk. Make that a condition, instead of a recommendation?

Everyone talking at once.

Commissioner Woods: I think we should make that a condition so that it doesn’t disappear. We want that to be there. Again, I believe at the last meeting it was on the left side, so again, as the maker of the motion, I’m fine with making that a condition. Commissioner Pane seconded it, so we’re good with that. Are you following this Craig? Because you are going to have to.....

Craig Minor: Yes, A is moving from under the recommendation section to a new section called Conditions which might end up with a few more.

Commissioner Pane: If you revise the property line to provide a full unobstructed fifty foot right of way.

Commissioner Woods: I was going to leave that as a recommendation. If they want to do that they can, if they feel that it needs to, but again, I don’t think that is required until or unless it is turned back into a through fare. Again, that’s just my opinion.

Commissioner Pane: I wanted to have you go through everything before I make a decision, thank you.

Commissioner Woods: Either eliminate the on street parking or provide a hammerhead, I mean, we are providing a hammerhead, so you could make that a condition, if you wanted to eliminate all of the on street parking, although it doesn’t appear that they are going to, or do they need to because there is a hammerhead, so just provide a hammerhead, or other turnaround. That work for you?

Commissioner Pane: Yes, I didn’t have a problem with that, because it was either eliminate the on street parking or the hammerhead, the true hammerhead. I’m not sure what they have there for hammerhead.

Commissioner Woods: So in C, we are going to eliminate the on-street parking, that is just going to be, provide a hammerhead for the turnaround area. D is the only one that we haven’t talked about, and that is provide for bicycle access to the Town Hall and to Lucy Robbins Welles library. I don’t have a problem with that, I just don’t know, is there bicycle access on Garfield?

Craig Minor: Yes, well, not yet, but the Town Engineer recalls that the town received a grant a number of years ago to put, not a bike lane on Garfield, but to reinvent Garfield to shadow, which is a way to indicate to motorists that there are bikes on this road also. The Town Engineer recalled that, and then he thought if we are going to make Garfield a bike friendly road, then shouldn’t we then make this cul-de-sac off of Garfield equally bike friendly. That was his thinking.

Commissioner Woods: And we would do that by striping?

Craig Minor: Striping, or shadowing or something of that nature. That’s why I used the word provide for bicycle access and not say something as blunt as saying, provide a bike lane, because I’m not suggesting that, but address the fact that we are going to be encouraging bike access or bike use of Garfield so let’s encourage bike use on the cul-de-sac as well.
Commissioner Woods: Commissioner Pane, are you comfortable with making that a condition.

Commissioner Pane: Yes, that is not a problem.

Commissioner Woods: So if I am doing this correctly now....

Commissioner Pane: We have one more.

Commissioner Woods: Recommendation two. I think we should leave that as a recommendation. I think there are a lot of ways that you could have a lot more parking there but it's.......

Commissioner Pane: Would you agree that it is obvious that there is going to be a problem?

Commissioner Woods: It's hard to say because it's not built, and they aren't using it yet, but it's been a problem right along, so it will probably continue to be a problem in a heavily used area. I think that there are areas within the property of the complex that could add additional parking, so I'm comfortable that the land is there, they just need to find and put parking there. I think our town forces, hopefully will do it themselves and save the town some money. We have an excellent highway department and parks department. They are capable of doing that. I would like to leave that, again, as a condition, recommendation.

Commissioner Camillo: The reason I like that is because during events, you are not going to have any on-street parking, the traffic has to flow from one side to the other, and you will have a drop off zone at the town hall, as we have one at the library, and otherwise you are going to have gridlock at the library and no one is going to be able to come and go. Forget the egress to Cedar Street, because.....

Commissioner Woods: I have no problem with leaving it as a recommendation, none whatsoever, but not a condition.

Commissioner Fox: I'm still a little fuzzy on D, when you say provide bicycle access. Is that going to take from the right of way?

Craig Minor: It's wouldn't need to, it might be nothing more than painting a shadow symbol, you see them in other towns, a chevron and the bike symbol painting on the travel lane. That is just to remind motorists to expect bikes on this lane, because bike's have a right to be there, but it wouldn't be a dedicated bike lane, it would be a multi-purpose lane.

Commissioner Woods: Well we in New England just can't seem to get the idea that bicyclists do have the right to use the road. They do have that right, and again, I think the bicyclist are taking their changes on riding in that lane, but they do have that right. It's a new thought process for us.

Commissioner Claffey: Maybe this should go back to the building committee and library board just for a final review.

Commissioner Camillo: There are departments in town that are going to have to work with this, and they should be talking to the architect and the building committee.

Commissioner Claffey: You are talking about a design that was not designed by town staff. That design right there was designed by certified, licensed architect. We seem to leave him
out, making decisions on (inaudible) or our town zoning, or our town engineer, that's all I'm saying. We make a decision on sizes and we don't even know if that works, and the only way we will get it to work is to bring it back to the building committee and then bring it to the architect and the engineers and all of their staff. We seem to miss that concept here, as to how the building gets built. It's not built by the zoning department.

Commissioner Woods: I would agree with you but I don't think that is our place, I think he should take that up with the building committee and the Town Manager.

Commissioner Claffey: We did, that's why we asked for an 8-24. That is what the point of this 8-24 is to bring it back to them.

Commissioner Camillo: The Town Manager is out of her league here, we really need somebody else to step in for her, and it would have to be an engineer. It's not an assumption, it's being proved every day.

Commissioner Woods: I'm going to re-state the motion, the recommendations are now going to conditions: A. Extend the proposed concrete sidewalk on the west side of Mazzoccoli Way down Garfield Street; B. provide a hammerhead for the turn around; C. provide access to the town hall and the Lucy Robbins Welles library; D. create a driveway on the north side, no 2, that's a condition.

Craig Minor: Excuse me could you keep the original letters so the Commission can follow,

Commissioner Woods: Okay, so A is a condition; B stays as a recommendation; C is now a condition; and D is now a condition and E will become a recommendation. Okay, so B is a recommendation, E is a recommendation, and two.

Craig Minor: Right.

Commissioner Woods: Two is a recommendation.

Commissioner Pane: Would anyone entertain adding a number three, reviewing of the final plans with the building committee, library board and town staff? If it's not necessary, it's okay, I thought we could just cover all of the bases.

Commissioner Woods: I guess I think that would happen anyway, but if there are people here that think that might not happen, I have no problem with making that recommendation.

Chairman Sobieski: Any other comments?

Commissioner Fox: When we are ready to vote, can we have an actual set of conditions and recommendations, I'm having trouble hearing and it's making me a little confused.

Craig Minor: We could have a brief recess and I can write up the vote.

Commissioner Fox: Thank you

The Commission recessed the meeting at 8:55 p.m and returned to the meeting at 9:10 p.m.
Commissioner Woods: I'm just going to re-read the conditions.

Conditions:
1. The Town shall revise the plans as follows:
   a. Extend the proposed concrete sidewalk on the west side of Mazzoccoli Way down to Garfield Street.
   b. Provide a hammerhead or other turn-around area.
   c. Provide for bicycle access to the Town Hall and to Lucy Robbins Welles Library.

Recommendations:
1. The Town should consider revising the plans as follows:
   a. Revise the boundary to provide a full, unobstructed 50' ROW throughout.
   b. Create a driveway on the north side of the property connecting the end of Mazzoccoli Way with the future parking lot to be constructed west of Town Hall.
2. The Town should prepare a long-term parking plan that addresses the parking needs for participants and spectators at simultaneous events at the Town Hall, the gymnasium and the Lucy Robbins Welles Library.
3. The final plans should be reviewed by the Town Hall Renovation Committee, the Lucy Robbins Welles Library board, and appropriate Town staff.

Commissioner Pane: I agree with all of those.

Chairman Sobieski: Any more discussion?

Commissioner Claffey: Will the town re-draw all of the plans, or is the architect re-drawing all of the plans and at whose direction?

Craig Minor: It's a town project.

Commissioner Claffey: So the town is going to direct the architect to revise the plans.

Chairman Sobieski: Any other discussion?

The vote was in favor of the motion, with six voting YEA and one Nay (Claffey).

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

A. Petition 36-19: Special Permit (Section 3.11.6; Restaurant) at 1046 Main Street, Peter Voumozos, Owner, Yea Eun Lee, 32 Oil Mill Road, Unit 12, Danbury, CT Applicant/Contact.

Craig Minor: We received an application for a restaurant at 1046 Main Street, and I recommend that the public hearing be scheduled for your next meeting on the 23rd.
Commissioner Woods: Where it’s going, isn’t that already approved for a restaurant?

Craig Minor: No, this is where the Chamber of Commerce was.

Commissioner Camillo: There is a restaurant right next door to it, there’s Wings next door to it, Rooster, do they have to come to us, or is this something they can go to the building department.

Craig Minor: No, if there had been a restaurant before, in that same space, then it wouldn’t come to you, in fact, there are a lot of restaurants in town that do turn over and you don’t see them because that space was previously approved as a restaurant. This space was previously a Chamber of Commerce office.

Commissioner Camillo: What was there before that?

Craig Minor: That special permit was abandoned when it became an office. If they need to do anything that requires a site plan, they will come to you. Typically whenever there is a turnover and the use of the existing building, it doesn’t need to come to you for site plan approval because there is no change to the parking lot or the sidewalk or the grounds around it.

Commissioner Camillo: A restaurant would need more parking.

Craig Minor: They might, and we will know that after we get to that. They might not, they could end up, and we advise the restaurant applicants to make sure that your floor plan doesn’t require more parking than the office use before you, and they are well aware of that issue. We can talk about that during the public hearing.

B. Petition 39-19 Special Permit (Section 6.11: Used Car Dealership) at 16 Progress Circle Unit J-M, Polamer Realty LLC, Owner/Applicant, Mario Gioco, 105 Alton Brooks Way, New Britain, CT, Contact

Craig Minor: Now, at long last, our first auto related business since the regulations have been changed. This is kind of unusual, and I’m not sure I have my head around it completely, but the applicant is calling this a boutique car dealership and it will apparently be by appointment only. He will acquire vehicles for you at your request. He does need a dealer license, he is definitely a used car dealership, no question about that. It’s a little bit unusual, and under your regulations any new or used car dealership requires a special permit. So I recommend that also be scheduled for your October 23rd meeting.

Chairman Sobieski: We also have the review of the 2030 Plan.

Craig Minor: Yes, do you want to do it the same as the last time? Start an hour early?

Chairman Sobieski: Any problems with starting an hour early?

Commissioner Claffey: For what?

Craig Minor: The POCD from the consultant, Glenn Chalder.

Commissioner Claffey: The official meeting for TPZ starts at 7:00?

Craig Minor: The regular meeting, yes. Thank you.
XII. TOWN PLANNER REPORT

None

XIII. COMMUNICATIONS

Commissioner Claffey: Who will be the new CRCOG delegate? That is usually what we do under communications.

Chairman Sobieski: I will still maintain it until November and that way we can have somebody else because, to be honest with you, I like going there. Anything that I did get I did sent out already. I just want to make sure everybody gets it, because I was having some problems with my e-mails.

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

Rose Lyons, 46 Elton Drive: I’m pleased to see the discussion around the table tonight about the town referral. A lot of discussion takes place on Facebook and I would rather sit here and listen to what is going on. The fact of the matter is I was a little confused about the public participation, but I understand that it is a little bit different and I thought it might be good to just mention that.

The other thing I want to mention, and it’s just an observation about the special meeting that you held. It’s somewhat odd that it was mentioned that a vacancy was filled at the last meeting, but a special meeting was being held to elect a Chairman. My recollection is that the vacancy was filled by the Town Council, not at this table. I also heard it said that three other attorneys opinions were asked about whether or not it was a legal meeting, or whether or not it should be done the way it was being done, and I believe that you said that you had the Town Attorney’s opinion as well. Once again, I don’t go on Facebook and ask the questions, or make the observations, I may argue over when the meetings are, and what times they are, and concerns and so forth and so on, but I think if there was an opinion that it probably should have been shared with the townspeople, the residents and probably this board.

Chairman Sobieski: Thank you. Anyone else?

XV. REMARKS BY COMMISSIONERS

Commissioner Woods: On the Balf issue Mr. Minor, if I remember right, they came to us looking for (inaudible) There were no violations from DEEP and we had no violations from the Town Manager’s office or where ever violations come from. Am I correct?

Craig Minor: Right the staff, to the Balf Quarry committee, Chief Schroeder, chairs that meeting and would submit any comments or observations that he felt was necessary.

Commissioner Woods: Do we notify the abutting property owners?

Craig Minor: It’s on the agenda, and of course people don’t usually pay attention to the TPZ agenda, unfortunately. I mean, why would they? It was on the agenda, it wasn’t added at the last minute or anything.

Commissioner Woods: Okay, thank you.
Commissioner Camillo: When a truck hauls out of there, they wash it down, and all of that water runs out of the truck as it hits the road, and it's dirty water. When it dries, now the dust is in the road, and that's what is happening. Maybe they should sweep the road.

Craig Minor: Right, and that that you just described was one of the two violations that I was given copies of, but I have not yet been given a copy of the final resolution of those two violations of a couple of years ago.

Commissioner Pane: Commissioner Woods just asked if there were any violations, and you said no, and then you just came back and said that there were two things.

Commissioner Woods: They were older ones.

Craig Minor: Correct, they were old ones.

Commissioner Pane: Back to Mazzoccoli’s days?

Craig Minor: No

Commissioner Claffey: Two years ago there was a group that sat here, and there was a special group that was to meet with them from the town. It was a committee that the town has in place from this issue.

Commissioner Woods: You're talking about the Balf Committee.

Craig Minor: When the Balf group was up for their two year renewal, at the time, the DEEP violations that Commissioner Woods brought up, at the next meeting because at the next meeting under public participation somebody came and spoke, and that is what I was following up on, but at the time of their two year renewal a couple of months ago, there was no talk as I recall as an old closed out violation. That came up at a later meeting.

Commissioner Woods: Who in the town monitors that, do you know?

Craig Minor: I do not know that.

Commissioner Woods: Can you find out?

Craig Minor: Sure

Commissioner Woods: Just so we know.

Commissioner Pane: Should be put this on our agenda for next month since we have some updates?

Commissioner Claffey: That might be a good idea.

Commissioner Camillo: Frank and the owner next door said they had been calling forty or fifty times, leaving a message for the Town Manager or someone in that department. They were never called back.

Craig Minor: I can say that I do refer, during the two year period, citizen complaints to Chief Schroeder, since he is staff to the Balf Committee, but I don’t know that he is responsible for more than just chairing a meeting every two years. I’ll find out.
Commissioner Fox: I know in the past, quite a few years, they contacted, we had a health director, I think his name was Cosgrove and then they contacted the Central Connecticut Health District quite often. I think someone came out and said they couldn't do anything.

Commissioner Claffey: Does the sedimentation that comes out onto Hartford Avenue, does that fall under any guidelines in our town for sedimentation or erosion control? That's, I'm not going to speak for the people in that neighborhood, but being over there many times, that needs to be a bigger concern on my end with all of the debris that stays in the road and becomes dust from the water run off. That might be the bigger issue here, than the actual blasting dust. I have been over there, heard the blasting, didn't see a pile of dust, but I see it when you drive by, it's pretty dirty. I know they clean it, but is there a way within those two year permit cycles to monitor it as an erosion issue more than an operational issue?

Commissioner Camillo: That dust is really abrasive. Those guys have cars, trying to sell cars and you just touch the hood, and with that dust, you leave a scratch. That's what they are talking about.

Commissioner Claffey: They should wash it off with a hose.

Commissioner Camillo: For the record, it's not our road, it's a state road.

Commissioner Claffey: So would it fall under the state erosion and sedimentation control?

Craig Minor: It would still fall under our storm water management plan, I'll look into it.

Commissioner Woods: I'm not over there that much, but Tilcon has made a very big effort to try to keep control. Obviously there are some neighbors that still aren't happy, but you go in there, you can go on the hottest day of the year, and it was like it was raining for three months, it's wet. They are doing everything they can do keep the dust down.

XVI. CLOSING REMARKS BY THE CHAIRMAN

None

XVII. AJOURN

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

Respectfully submitted,

Nonne Addis,
Recording Secretary