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

Commissioners Absent

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

Staff Present

Craig Minor, Town Planner

III. APPROVAL OF AGENDA

Chairman Sobieski: Any changes to the agenda?

Craig Minor: I recommend that you move the Old Business item regarding the Dakota Partner to earlier in the agenda so that Attorney Slater can not stay here to long, because he is on the town's dime, so that we can minimize the expense?

Chairman Sobieski: Any other changes?

Craig Minor: No, that's all.

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

None

V. REMARKS BY COMMISSIONERS

None
OLD BUSINESS:


B. Petition 25-18: Zoning Map Amendment at 550 Cedar Street in Accordance with C.G.S. Sec. 8-30g,. Dakota Partners Inc., Applicant, 550 Cedar Street Associates LLC, Owner, Timothy S. Holister, One Constitution Plaza, Hartford CT, Contact.

Attorney Slater: Good evening, Ken Slater, Halloran, Sage. As you know, the, as is often the case, the affordable housing appeal for the housing on Cedar Street, the court found that the Commission couldn’t sustain the very high burden of showing the reasons for denial outweighed the needs for affordable housing.

What the judge did though, he did recognize that the Commission’s concern with respect to the parking, I’m sorry, the pedestrian travel was a legitimate one to the degree that the court has ordered that you don’t issue the site plan approval on this plan until after Dakota makes an effort to solidify what it told the Commission, that they had a deal in principle on regarding construction of sidewalks to serve as access near the new development. The Commission has agreed of course that town representatives can participate with them in the process of trying to get that approval from DOT. The decision also says that in the event that that effort fails, and they cannot get approval from DOT, and it is going to affect their ability to get financing for the project then the Commission has to just go ahead and issue the site plan approval without the sidewalks. So the site plan component of it is something that, in my view, under the judgment that you are not supposed to grant just yet, but Dakota has asked if you would issue Certificates of Approval of the other two elements and that is the Text change and the Map change. So Craig has prepared, Mr. Minor has prepared the drafts for all three of them, but one of them I would hold back on, which Dakota needs approval and which you are going to do at some point and that is what is on the agenda, the approval of those two Certificates of Action regarding the text change and the map change.

Commissioner Camillo: Can we just wait and do all three of these at the same time? Hold this until later?

Attorney Slater: There is nothing in the decision that orders you to issue it ahead of time, in fact, the decision says that in the event that they don’t get approval, all three of the things have to get approved, so I think the court contemplated the fact that you might hold off on all three of them. So nothing stops you from doing the two because you are going to have to anyway, but I don’t think anything prevents you from waiting on all three of them.

Chairman Sobieski: Any questions:

Commissioner Claffey: Why wait?

Commissioner Fox: On the site plan approval, do we know if the sidewalks are going to be put in?

Attorney Slater: In my view, you can’t until you know about the sidewalks, so the judge doesn’t even want you to, so don’t until the string has been run out on the sidewalk issue and if they are successful then the site plan would include the condition of the sidewalks and if
they run the string out and can’t get that approved from DOT then you would issue that without, so that piece you should hold off on.

Chairman Sobieski: I know that we were discussing this and Dakota had said that they were willing to take out some of the stipulations for the, who had the oversight on building, what goes on in there. Is that a possibility of putting that back in, or not?

Attorney Slater: No.

Chairman Sobieski: Okay. Any other questions? What is the pleasure of the Commission?

Commissioner Fox: Mr. Slater, going back, the staff would be assisting in getting DOT approval for sidewalks? In what way would they be able to assist, just lobbying the DOT or doing design work, or what?

Attorney Slater: At the very least we want to make sure that Dakota is acting diligently and in good faith in trying to get those approved. So at the very least it would be participation in the process to make sure that they are following it up, whether it involves anything beyond that, I suspect not, but certainly the staff would be in communication with them about what their vision is of how the sidewalks should work. I guess to some degree it is lobbying, but at the very least it would be to know that they are doing what they said they are going to do.

Commissioner Claffey: And if they don’t get the DOT approval, it doesn’t give us the right to reject it.

Attorney Slater: Right. What the court order says is that in the event, and rather than paraphrase, it’s right at the end of the decision, earlier in the decision they say don’t issue the site plan approval yet, but it says “however in no way shall this jeopardize the funding application or any other essential elements of the project so approval of the clients three part application must be issued upon written notice from the plaintiff that negotiations have failed. So what they agreed during the period of time they filed an appeal just so that we know that they are actually doing it, that’s why they agreed that they would let staff people be part of the process to know that they made a legitimate effort to get that approval from DOT. Either A, we get notice from Dakota that they got the approval, at which point you are required under the judgment to issue the approvals with the conditions proposing the sidewalks or be notified, the court will notify you that the negotiations have failed in which case the court says then you have to issue all three approvals without that condition.

Commissioner Pane: There is nothing right now that would prevent us from issuing these two because the only one that is being questioned right now is the site plan, correct?

Attorney Slater: Correct. The court doesn’t order you to now, but it’s really at your discretion. If you wanted to do all three at once, or do the two that the court is asking you to now, so I can certainly go back and say the Commission prefers to do them all at once, or will go back and give them what they asked for, here are the two approvals.

Commissioner Pane: They really don’t affect anything, so on a good will, if they have asked for them, I mean maybe it will help with them working harder to get the sidewalks.

Commissioner Pane: Could you say that again, I missed the last part.

Commissioner Pane: I said the first two petitions that, there are three petitions, and only the site plan is under hold due to the sidewalks, so I’m saying that maybe we can just move the
other two forward since they have asked for them, because they will work harder to get the sidewalks for us knowing that we gave them the approval of this in a timely manner. There is no reason to hold this back, we are eventually going to have to give it to them.

Chairman Sobieski: Any other remarks by Commissioners? Can you read the motions?

**Petition 24-18: Zoning Text Amendment (new Section 3.26: Workforce Assisted Housing District)**
Dakota Partners Inc., applicant;
Timothy S. Hollister, One Constitution Plaza, Hartford, CT, contact.

Commissioner Pane moved to approve Petition 24-18 Zoning Text Amendment (new Section 3.26: Workforce Assisted Housing District) Dakota Partners Inc., applicant; Timothy S. Hollister, One Constitution Plaza, Hartford, CT, contact.

Findings:
The Memorandum of Decision issued on August 28, 2019 in the case of Dakota Partners, Inc., v Newington Town Plan and Zoning Commission directed the TPZ to approve this application.

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

**Petition 25-18: Zoning Map Amendment at 550 Cedar Street**
Dakota Partners, Inc., applicant;
550 Cedar Street Associates LLC, owner;
Timothy S. Hollister, One Constitution Plaza, Hartford CT, contact

Commissioner Pane moved to approval Petition 25-18 Zoning Map Amendment at 550 Cedar Street Dakota Partners, Inc., applicant; 550 Cedar Street Associates LLC, owner; Timothy S. Hollister, One Constitution Plaza, Hartford CT, contact

Findings:
The Memorandum of Decision issued on August 28, 2019 in the case of Dakota Partners, Inc., v Newington Town Plan and Zoning Commission directed the TPZ to approve this application.

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

Attorney Slater: Thanks for the courtesy of moving me up on the agenda, and I'm officially off the clock. Thank you.

Commissioner Fox: I have a quick question. I noticed that Commissioner Woods did not vote, and I'm assuming that he recused himself for some reason, but he didn't state it. I just wanted to know.

Commissioner Woods: Mr. Chairman, the last vote I actually came in late, I was on the phone, but I have a conflict now, I have a business relationship with Dakota Partners, that is why I recused myself from the voting.
VI. PUBLIC HEARING:

A. Petition 25-19: Special Permit (Section 3.2.1: Daycare) at 55 Faith Road, Newington Interfaith Housing Corporation, Owner/Applicant, Robert Small, 85B Faith Road, Newington CT, Contact. Continued from August 28, 2019.

Commissioner Woods: Mr. Chairman, I recused myself from this petition originally, but I have since talked to the Town Attorney, I sit on this board and actually I am an officer of this corporation, but he sees that there is no conflict, and I do agree with him, so I will not abstain.

Alan Bongiovanni: Mr. Chairman, Staff, Members of the Commission, my name is Alan Bongiovanni, licensed land surveyor in the State of Connecticut with an office at 170 Pane Road here in Newington. I’m representing Southfield Children’s Center Interfaith Housing Corporation in this application before you. If you recall, the opening public hearing presentation made a couple of months ago, detailing the site plan, and the reasons for the special permit for the expansion of the day care use. The two outstanding issues at that time were a traffic study or letter which was submitted to the Town Planner I think Craig you were satisfied with that letter?

Craig Minor: Yes.

Alan Bongiovanni: It mirrors the statement that I made for the record, and then the other issue was, we had a large number of engineering comments that needed to be worked through before we could really finalize our set of plans. The plan that is on the board before you is basically the same plan that was originally submitted. This incorporates all of the comments from the engineering department, the difference being......

Craig Minor: Excuse me, would it be helpful or confusing if the previous set of plans was distributed so the Commissioners could look at them. I know Commissioner Claffey wants a copy of his own, but....

Alan Bongiovanni: I will leave that as their decision. It’s the same, I will say this real quick, it’s the same plan with a different drainage scenario. Different drainage design. We haven’t changed the parking, building layouts, sidewalks, things like that, to speak of.

Craig Minor: I have the first version and I’ll leave it to the Commissioners if they want to have the original plans in front of them or if you would rather just look at the current proposal.

Alan Bongiovanni: So as I was saying, the overall look of the components of the site plan, the parking, the parking layout, the building layout, the addition size, all that has stayed the same. Minor changes to grading, drainage, it’s still, it runs from uphill to downhill, discharges at the northwest corner of the site, but what we have done now is to be more in tune with the LID regulations, and it’s created an open basin. Water quality, a pond if you will that will accept the first flush of rain water and pretreat that water before it goes in, off the site into the water course to the north. That is the major component, it requires additional (inaudible) in this area here, it was originally thought, and we worked through this in January with the engineering staff, to satisfy that less work within the regulated area might be more acceptable. We have since presented this to the Wetlands Commission, they have approved this set of plans. So we are beyond that, we’re very comfortable that, with the town engineering staff’s review of our comments. They did provide us at the end of last week some rebuttal comments. We don’t see anything difficult or hard to achieve, so if the
Commission is so inclined to approve these applications before you we would reasonably accept the condition of approval that we clean up any remaining engineering comments that still exist.

I would be happy to answer any questions. I don’t know if you want me to regurgitate our original presentation, but if you have any questions, please ask.

Chairman Sobieski: Any questions?

Craig Minor: Alan, at the previous public hearing the neighbor to the west was concerned about the drainage basin that was near his property. I raised the complaint about the lack of a buffering (inaudible). Can you walk the Commission through how you address that with the new plans? Maybe not on this sheet, but on different sheets.

Alan Bongiovanni: The area, the neighbor in question was in this location here, first of all, our property is well below his property, so our water never did nor will it ever get up to his property, the drainage from our property. The initial questions came about in our initial design where we were discharging water to the existing swale in this location here. Because we have added this new water quality feature, we no longer have to do any work with the swale in that area, so we’re limiting some of the cutting and the clearing that we were proposing just to accommodate that outflow. The other issue, and the other comment on the plans, we have agreed to augment the buffering, if you notice on page 13 of 21, our planting plans, that note on the left hand side, that note states, “existing natural buffer to remain, this shall be supplemented by evergreen trees or shrubs every seven feet on center as may be necessary to maintain the screening buffer.” So, as we do our work out there, during planting season when we are ready to do our landscaping, we will walk that area. If the staff would like to be part of that to make sure that we maintain a good visual buffer.

Craig Minor: You aren’t showing it on the plans then?

Alan Bongiovanni: Well, because we didn’t locate, it’s hard to locate every little tree and shrub that is in a wooded area and say, this is what you need. It’s easier to do the work, walk it in the field and add additional plantings at that time.

Commissioner Pane: If they are necessary.

Alan Bongiovanni: Yes.

Commissioner Pane: So it could be a condition that landscaping plans for a buffer where needed will be assessed at that time.

Alan Bongiovanni: That is why we have that note on the plan. We have done this successfully in a number of projects over the years, you don’t want to get into cutting down the forest just to plant a buffer. Just supplement what is there, and that is everything. As I said at the previous meeting, Interfaith village, Interfaith Housing, Southfield Children’s Center, and Southfield Apartments, they are a good neighbor. They have been there for fifty years, they are going to be there for many more years, they want to make sure the neighbors are satisfied as well as them.

Commissioner Claffey: I have a question. The Planner brought up the neighbor that was here, I don’t remember which neighbor it was, it does look, the existing parking lot where it kind of stops and goes down a basketball court, that is where the building is going, in the general vicinity, that court is coming out if I’m reading this right.
Alan Bongiovanni: Yes.

Commissioner Claffey: I mean, I don’t know, I’d be a little concerned for this homeowner with this runoff from the current parking lot, and would just hope that it stays to the right, to the inside of the property and not follow the topographical, shows from the back of that existing building to the corner of the existing parking lot which is being taken out, that you could have some sheet flow. That isn’t much, but I’d hate to be back here in six months or a year with the same homeowner complaining about the same thing.

Commissioner Pane: He said the elevation was higher there.

Alan Bongiovanni: From where his house is in that area, it is higher. There is some land that would slope, we could conceivably push water back to their property, we think the design here creates a swale to get it back to the same swale in the back there. We think we are creating that swale. If engineering hasn’t raised the question in their 98 comments about that, I think we’ve done a pretty good job.

Chairman Sobieski: Any other questions? What’s your pleasure? We’ll have anyone from the public who wishes to speak against this petition, please come up. Anyone wishing to speak for this petition, please come up.

Commissioner Pane moved to close Petition 25-19 and move it to Old Business. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion with seven voting YEA.

B. Petition 38-19: Special Permit (Section 3.11.6; Restaurant) at 1048 Main Street, Peter Voumouzos, Owner; Yea Eun Lee, 32 Old Mill Road Unit 12, Danbury, CT, Applicant Contact.

Yea Eun Lee: You can call me Julie. That’s what everybody calls me. My name is Julie Lee and I am the owner of the restaurant that is being proposed. We are looking to locate at 1046 Main Street. A little bit about what our business is going to be. We are a take-out restaurant with Japanese and Hawaiian offerings, specifically sushi, which we all know is a cuisine associated with Japanese and a lesser known cuisine which is known as poke which is a very popular and trendy dish that you could compare to sushi, but it is actually a Hawaiian version. You may find businesses that have poke bowls in a lot of metropolitan areas, and they are now popping up in downtown suburban areas as well.

Craig Minor: As I said in my memo, I’m theoretically concerned with the parking. Technically they don’t need to provide any parking because the original owner of the building donated the back of his property to the municipal parking lot in the back so technically they get a pass forever. I still think some discussion from the Commission just in general would be good.

Commissioner Pane: But we have too much parking, right?

Julie Lee: I would like to emphasize that we are a take out restaurant although we will have seating for customers who wish to stay a little bit. Our food is known as take out. People go into a Poke restaurant to get food to go. All of our food will be served in container bowls that are disposable. Nothing will be served so I think that may help with some of your concerns.

Commissioner Serra: Just one question, some of the Commissioners were talking about the parking. I know where you are talking about, I know where you are going to be, you are
going to be remodeling, designing, are you planning on having a rear entrance so people parking in the rear can come in through the back?

Julie Lee: Yes, that is something that we are considering. We did provide a floor plan and according to what we think the needs will be for the area, we are open to changing what our plan is now to accommodate what would be a better option for customers.

Commissioner Serra: I think if you had a rear entrance that would alleviate an area of concern that some of the Commissioners may have.

Commissioner Claffey: Mr. Planner, from the floor plan, is there, has there been a set number of how many seats their occupancy could be used in that structure, that tenant space? They show two tables, but, is it zoned to have two tables, twenty tables, one table?

Craig Minor: The Fire Marshal would set the maximum number based on his criteria. In Newington the amount of parking required for a restaurant is based on the floor area open to the public, not seats as is the case in most towns. It would be a lot easier for the staff to review whether or not an application has enough parking just based on the seating plans, but that would make to too easy for the staff. We have to take a ruler and manually measure, which we did not do in this case because it is moot in this case, because of the past. In other restaurants which are not in the town center, the staff does the analysis to make sure that there was enough parking based on the floor area open to the public.

Commissioner Claffey: A question to your memo in the packet, and in regards to Wings Over Newington, has there been any concerns about parking in front of Wings Over Newington? I'm only asking because you brought it up in your memo.

Craig Minor: Not that I am aware of.

Chairman Sobieski: Any other Commissioner comments, questions? I'll open it up to the public.....

Commissioner Claffey: One question I have is do you have any future endeavors of seating or serving liquor?

Julie Lee: We are not planning on serving liquor.

Chairman Sobieski: I'll open it up to the public. Anyone wishing to speak in favor of the petition, please come forward, state your name and address for the record.

Peter Vourmozos: I'm the owner of the building. I think the restaurant, the take out facility would be an asset to Newington. Something different. In reference to your comments about the parking, we did donate the back of our land to the town when the parking lot was done and in reference to the parking, the majority of Wing's business is also take out. No one stays very long, they are in and out. Wing's also does not have a rear entrance, they go in from the front. A lot of people will park in the back and walk around to the front. I don't know that it is necessary for a rear entrance for customers in the back of that. That little alcove behind that unit is mostly a service area where the air conditioners and that kind of stuff is, so it's not really designed for a rear entrance. That certainly can be changed, but I don't think it is really needed for customers to be coming into the back of that area. Overall I think this would be a nice asset to the town and would attract more people down town, give them an opportunity to try something new. Thank you.
Chairman Sobieski: Anyone else wishing to speak in favor of this petition? Anyone wishing to speak against the petition, please come forward.

What is the Commission's pleasure?

Commissioner Pane moved to close Petition 38-19 and move it to Old Business for action tonight. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with seven voting YEA.

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

Mario Gioco, 16 Progress Circle, Newington: Good evening. We want to have an auto boutique, not a regular dealership. We basically get an order for a car we find the car. We don't have any cars for sale outside of the building. We are taking up four units for the cars.

Chairman Sobieski: Any questions from the Commissioners?

Commissioner Pane: Are the cars inside then? If you are taking up four units, then the cars will be stored inside?

Mario Gioco: If we have a car we will hold it inside for a period of time.

Commissioner Pane: No repairs?

Mario Gioco: The State requires us to have repair license facility, but we don't plan on doing repairs. The type of cars that we will be moving will go to the dealers for repairs.

Chairman Sobieski: Detailing or car washing?

Mario Gioco: No.

Commissioner Fox: People will contact you and.....

Mario Gioco: And we will try to find it.

Commissioner Fox: Will try to find it. Then the owner or the buyer will take a look at it, approve it or not?

Mario Gioco: It will be the type of thing where the car will come in and they will come and get it.

Commissioner Fox: So you won't have any cars there for sale?

Mario Gioco: No.

Chairman Sobieski: Any other Commissioner remarks, questions? Mr. Minor?

Craig Minor: This is our first application since the regs were adopted recently and it's a little unconventional, but I went through the regs, and it's not that I'm trying to find a problem with this, but it is kind of my job to find problems, but I didn't find anything in the regulations that would be against it. I'm hoping that we hear from some of the other occupants of the building just to make sure that they are okay with it, but that's part of the public hearing. I did hear
from one of the other occupants so I do know that they are aware of this, so maybe we will hear from them tonight.

Commissioner Claffey: The store front of the building, is there any type of, I've seen things like this around, is there anything like a showroom with the cars there?

Mario Gioco: There will be no showroom.

Commissioner Claffey: So.....

Craig Minor: I can show you the back of the building if you want?

Commissioner Claffey: How do the cars go in and out?

Craig Minor: There are garage doors in the back. So the cars would be brought into the back side of the building.

Commissioner Claffey: The entrance to the establishment is on the other side. The customer comes through the front door, walks thru the business to get to the vehicle in the back.

Mario Gioco: They will not be allowed in the back.

Commissioner Claffey: Then how do they see the car.

Commissioner Pane: They already bought it. They purchased it on the internet, whatever, they bought the car basically before they come to see you.

Mario Gioco: Yes.

Commissioner Claffey: In your memo, you used the word car dealership, there will be no new car sales?

Mario Gioco: Correct.

Chairman Sobieski: Any other questions?

Commissioner Claffey: I just want to make sure we are not (inaudible). We used the terms, new and used as meaning the same.....

Craig Minor: No, not meaning the same, both are allowed.

Commissioner Claffey: Okay, gotcha. Both are allowed. So, with that said, it could be changed and be turned into a new car without coming back here.

Craig Minor: I would tell them to come back because I think that is enough of a change from what you may approve tonight.

Commissioner Claffey: This new reg is new to all of us and I just want to make sure we understand.

Chairman Sobieski: Any other Commissioner comments? Anyone wishing to speak for this petition? Anyone one wishing to speak against it? What is the Commission’s pleasure?
Commissioner Pane moved to close Petition 31-19 and move it to Old Business. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with seven voting YEA.

VII. APPROVAL OF MINUTES

Commissioner Woods moved to approve the minutes of October 7, 2019 Regular Meeting. The motion was seconded by Commissioner Pane. The vote was unanimously in favor of the motion, with seven voting YEA.

VIII. NEW BUSINESS

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

Alan Bongiovanni: Thank you Mr. Planner, Chairman, at the public hearing that we just went through and closed. We did do a presentation on the site plan as far as the public hearing. If you would like to ask questions or if there is anything you want to have explained, I will be happy to do so. Other than that, I don't think I need to waste your time.

Chairman Sobieski: Any questions from the Commissioners?

Commissioner Woods: Not a question, but a statement. This is going to be done in phases, I don't know if everyone remembers that or not.

Alan Bongiovanni: The plans are detailed as such. The smaller building, or the small single building for the maintenance staff office is phase one, and the addition to the day care center is phase two. That is their intention.

Craig Minor: Mr. Chairman, in my memo, I had that the town engineer had reviewed the plans and the comments were sent to the applicant yesterday, so I'm not sure whether the town engineer has gotten the revised plan. I'm not sure he has the full size... .

Alan Bongiovanni: Yes, and they reviewed the full size plans. Some of the town engineer's response to our responses raised questions on the engineer's part. He just got back to me to this afternoon, so there are a few outstanding items that we need to address. We think they are all technical in nature. On behalf of the applicant, we don't have any problems working with staff to get those resolved. Again, none of them are material to the planning or the layout or the development of the site, it's more technical in nature.

Chairman Sobieski: Any questions?

Craig Minor: If the Commission is of a mind to approve it, I don't have a draft motion, but if the Commission does approve it I would just add that as a reference, mine and the town engineer's of October 15th.

Commissioner Woods moved Petition 26-19 to Old Business for action tonight. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with seven voting YEA.

Alan Bongiovanni: Thank you.
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.

Craig Minor: We received the revised plans yesterday. The engineer is looking at them. There is a nine page letter from Mr. Bruton and I went through it this afternoon, and actually the nine page letter pretty much said, agreed, agreed, agreed. I was hoping that the engineering department would be here tonight so we could recommend approval subject to the town engineer’s review of the letter, but there were a few things in the letter that I guess the engineering department thinks are a little problematic, so I recommend no action be taken tonight. I don’t see the applicant here anyway, so I guess it won’t be a problem for him.

Chairman Sobieski: Any questions?

Commissioner Claffey: So do we just hold this over to the next meeting or....

Craig Minor: You don’t need to do anything. It automatically continues. The plans are in the folder when you came in tonight, and that is the latest plan that just came in yesterday and unfortunately they only gave us four copies, some of you lucky ones got the full set of plans.

IX. **OLD BUSINESS**

Craig Minor: I don’t have any conditions for Petition 25-19, the special condition, but when we get to the site plan we will want to talk about some conditions.

Commissioner Pane moved to approve 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.

No conditions.

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

Chairman Sobieski: The next one we had was the restaurant.

Craig Minor: I don’t think there were any conditions. I know that the restaurant talked about a rear entrance. The impression that I got from the owner of the building is that it would be problematic to create a rear entrance.

Commissioner Serra: That was just a suggestion or a thought. We had talked about the POCD and opening up that area to people in the parking lot, to make it easier for them, so that is what that comment was about. If it can’t be done, then it can’t be done.

Commissioner Pane: If it can be done it would probably be beneficial to the tenant to allow that flexibility. I don’t recall exactly how the layout is over there.

Commissioner Fox moved to approve Petition 38-19 Special Permit (Section 3.11.6, Restaurant at 1046 Main Street, Peter Voumozos, Owner, Yeah Eun Lee, 32 Oil Mill Road Unit 12, Danbury CT, Applicant/Contact

Conditions:
None
The motion was seconded by Commissioner Pane. The vote was unanimously in favor of the motion, with seven voting YEA.

Craig Minor: Petition 39-19 does not have any conditions.

Commissioner Pane: There are going to be no cars out in front, right?

Craig Minor: If you want that expressly in the permit you could, but that is how we would enforce it even if there weren’t any conditions.

Commissioner Woods: There are no cars allowed in the front.

Commissioner Pane: It was the front yard you guys talked about, not the parking spaces. The only other thing would be, he said he wasn’t going to wash cars and the only reason I would have that as a condition is that if he did decide to wash cars he would need an oil/water separator.

Commissioner Fox moved to approve Petition 39-19 Special Permit (Section 6.11: Used Car Dealership) at 16 Progress Circle, Units J-M, Polamer Realty LLC, owner/Applicant; Mario Gioco, 105 Alton Brooks Way, New Britain CT, Contact.

Conditions:

1. There will be no outside storage of vehicles.

2. There will be no outside washing of vehicles.

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

Commissioner Pane moved to approve Petition 26-19 Site Plan Approval at 55 Faith Road, Newington Interfaith Housing Corporation, Owner/Applicant; Robert Small, 85B Faith Road, Newington CT, Contact.

Conditions:

The applicant must satisfy the Town Engineer’s comments of memo dated October 15, 2019 and the Town Planner’s letter dated July 30, 2019.

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

X. **PETITIONS FOR PUBLIC HEARING SCHEDULING**

None

XI. **TOWN PLANNER REPORT**

Craig Minor: I don’t have anything but I have a temporary sign banner request that the Zoning Enforcement Officer asked me to present to you.

Craig Minor: Lifeway Church. You approved the Lifeway Church earlier in the year and they want to have a truck or treat event for Halloween. So actually, no action is required by TPZ
but the staff wants to make you aware of them and if you have any objections you can make them known.

Commissioner Claffey: Were there any violations when they opened the church?

Craig Minor: I’m not aware of any violations and I would hope that Andrew would have made me aware of any if there were. They do meet the regulations for a banner. There are no objections to that? Good.

XII. COMMUNICATIONS

Chairman Sobieski: I sent the latest CRCOG information out to everyone.

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

None

XIV. REMARKS BY COMMISSIONERS

Commissioner Claffey: Two things, the old Toy ‘R Us property, has a huge banner hanging off the front of the building, and I think they put a banner up on the pike for the Halloween store. Then down on Willard……

Craig Minor: I’m sorry, the old Toys ‘R Us has a banner. Didn’t that come to you last meeting?

Commissioner Claffey: It did, but did we give them one approval or two?

Commissioner Pane: One, on the building.

Commissioner Claffey: There is one up on the pike.

Craig Minor: I’ll ask Andrew to see if they have the proper approvals.

Commissioner Claffey: The other one is on Willard Avenue, I think it is actually in the right of way. Right in front of Newington Dental, which is right next to that vacant medical building, it’s a trick or treat.

Craig Minor: I’ll pass that along.

Commissioner Fox: I would like to make a sales pitch for the 150th anniversary standing committee. Shirts and tote bags that were at the Waterfall Festival will be available on election day at the Town Hall Community Center and the lobby at Ruth Chaffee.

Chairman Sobieski: How much are they?

Commissioner Fox: Twenty bucks.

XV. CLOSING REMARKS BY THE CHAIRMAN

Chairman Sobieski: I have no closing remarks except thank you very much. It’s my second meeting, so it just takes a little time to get used to.
XVI. **ADJOURN**

Commissioner Woods moved to adjourn the meeting. The motion was seconded by Commissioner Fox. The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

[Signature]

Norene Addis,
Recording Secretary