

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

March 8, 2023

RECEIVED FOR RECORD
IN NEWINGTON, CT

2023 MAR 10 AM 10: 22


Town Clerk

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND SETING OF ALTERNATES

Commissioners Present

Chairman Domenic Pane
Commissioner Bryan Haggerty
Commissioner Garret Havens
Commissioner David Lenares
Commissioner Jonathon Trister
Commissioner Stephen Woods
Commissioner Stewart Drozd-A
Commissioner Thomas Gill-A
Commissioner Gia Pascarelli-A

Commissioners Absent

Commissioner Anthony Claffey

Staff Present

Paul Dickson, Town Planner
Erik Hinckley, Asst. Town Planer/ ZEO

Commissioner Gill was seated for Commissioner Claffey

III. APPROVAL OF AGENDA

No Changes

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

None

V. ZONING ENFORCEMENT OFFICER REPPORT

Commissioner Gill: The Main Street, M & T Bank, was there a banner up there on the building?

Erik Hinckley: There was.

Commissioner Gill: As far as Dunkin Donuts, what does that have to do with it?

Erik Hinckley: When there are two property owners involved with the building, I just put Dunkin Donuts and M & T Bank.

Commissioner Gill: But there was nothing from Dunkin Donuts?

Erik Hinckley: No. They just had a banner up while they were doing the renovations there.

Commissioner Gill: Is there any way of them getting permission to do something when they are opening a business?

Erik Hinckley: Yes, you can get a permit for a temporary banner for 50 days in a calendar year. They just didn't do that. I kind of let it, through construction, when the sign company came out and put up the regular sign, they would have to take down the banner.

Commissioner Gill: I was just, a lot of this seems to be what you have to go through. Dunkin Donuts on Cedar Street, was that construction also or was that something.....

Erik Hinckley: They brought the A-frame signs down into the right of way I guess the day the store was open but the drive through was closed or visa-versa, so they were out there for a couple of days. I kind of worked with them, and when they were done, they just pulled them in, back to the door.

Commissioner Gill: Okay, thank you.

Chairman Pane: Any other questions? Good job Erik.

VI. REMARKS BY COMMISSIONERS

None

VII. PUBLIC HEARING

A. Petition 03-23: Special Permit (Sec. 3.4.7) for the conversion of home at 100 Deming Street into four residential units, Applicant/Contact: NVB Property, LLC, Vinnie Pastore, Owner, NVB Property, LLC

Chairman Pane: We'll go right to a staff report on this first.

Erik Hinckley: This came about, over the summer there was, the primary owner was trying to sell the property and their attorney asked for a Certificate of Zoning Compliance which I could not fully get because I could not locate a special permit for this existing four family house. They went through with the closing anyway and the new owner just wants to formalize what has been

in existence for quite a while. They have followed the zoning requirements for older home conversions.

Chairman Pane: It meets all of the requirements. Would the applicant like to add anything, if he is here or on line?

Erik Hinckley: I do not see anyone on line.

Chairman Pane: This is pretty much just something to correct some paperwork. It has been in existence for what, over ten years I think.

Erik Hinckley: Yes, and then the Fire Marshal has been inspecting it since 1998 as a multi-family and their last inspection in February of last year that was no outstanding violations or compliance issues. Doing some other research, on another matter I did come across the other part of the farmhouse, 68 Deming which was approved as a multi-family back in the '40's. It is possible that maybe they got an approval later, at another time, I don't know.

Chairman Pane: Okay, very good. Any questions for staff from the Commissioners? We'll go to the public, is there anyone from the public who would like to speak in favor of this application? Is there anyone wishing to speak in opposition to this application? I suggest that we close Petition 03-23 and move it to Old Business for action,.

Commissioner Havens moved Petition 03-23 to Old Business. The motion was seconded by Commissioner Lenares. The vote was unanimously in favor of the motion with seven voting YEA.

VIII. APPROVAL OF MINUTES

Commissioner Havens moved to accept the minutes of the February 22, 2023 regular meeting. The motion was seconded by Commissioner Gill. The vote was unanimously in favor of the motion, with seven voting YEA.

IX. NEW BUSINESS

A. Newington Junction TOD

Chairman Pane: We had an informal discussion concerning Newington Junction TOD. I put this on the agenda so we could get an update from the Town Planner and also get the Commissioners opinion on whether or not they would like to move forward with a TOD regulation for that area, for Newington Junction. Before we go to Commissioner's comments and questions, I'll ask the Town Planner to give us a report please.

Paul Dickson: Thank you. I have been able to go through some of the past planning efforts, back to 2014, the primary study that was done looking at three different areas of potentially

Newington Junction TOD. Kind of looking at how to, what type of development could be there, in the area from Chapman Street to the south, to the parcels on Tavenner Circle to the west, town line to the north and then to the stream running parallel to Day Street to the east. So previously the extent was a little larger when I was looking at the different types of transportation uses that would be in the area. As we know, the Fastrack station is there currently right now, and going through that more recently actually a study has been done by CRCOG and it is almost complete. I reached out to them the other week, and they plan to have it done by April and what that study really is, is looking at taking the TVDD, the Transit Village Design District, looking at what we have for densities, what we have for allowances, kind of taking a couple of lots and seeing what could be built, and then from there, doing a pro forma to see whether actually what we could have under our regulations, if we were to apply those to these lots, if it would actually work at the end of the day, which is a very important thing when you are actually looking at creating regulations to make sure that what you are actually looking to regulate can be built.

That is kind of where we are in the process, we do have our own internal review, looking at different assessments, square footage costing, what we can figure out in that area as well. So we kind of have parallel paths, tracks. Again, the concern is getting as much data as I can, pulling the historic information, looking at current market conditions, and seeing, does it make sense to put that in place. What tweaks needs to be in place and from there, start bringing some draft regulations in front of you, looking at extent, how far do you want to go? All the way from the TOD, the current station all the way up to West Hartford town line, as was thought previously, what is the extent the Commission would like to see established?

Chairman Pane: Okay, very good. Questions for the town staff from the Commissioners or your opinion on the Newington Junction TOD regulation?

Commissioner Drozd: Just to get an understanding, I thought there was a TOD zone now over by Newington Junction.

Paul Dickson: Correct, it's the underlying zoning district.

Commissioner Drozd: What are the TOD zones that we have. I know that we have Cedar Street, and I believe there are two others I believe?

Paul Dickson: One other. Fenn Road.

Commissioner Drozd: So we are talking about adding a third TOD zone, is that correct?

Paul Dickson: That was actually part of the previous, when the TOD was being looked at , Cedar/Fenn, this area was looked at as well, it just wasn't established at that time.

Commissioner Drozd: Does anyone know why that was? I wasn't around for that.

Chairman Pane: Do any other Commissioners have any questions? If there are no other questions, you will keep us updated on that please?

Commissioner Woods: I just wanted to comment, I'm glad this is back up in front of us again, and I do support moving forward on this, I think it's time that we definitely come up with a plan, that we feel will fit the neighborhood, and the town, and I think it's going to take some time for us to work it all through, but I'm glad to see that it's back on the drawing board and again, I'm willing to do whatever it takes to move this forward and to work together as a Commission to make sure we get it right for the Town.

X. OLD BUSINESS

A. Petition 03-23: Special Permit (Sec. 3.4.7) for the conversion of home at 100 Deming Street into four residential units, Applicant/Contact: NVB Property, LLC, Vinnie Pastore, Owner, NVB Property, LLC

Commissioner Lenares moved to approve the special permit application at 100 Deming Street a conversion of an older home to four residential units.

Reasons for the Approval:

The applicant meets the special permit criteria in Sections 3.4.7 and 5.2 of the regulations.

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

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

Chairman Pane: As the Commissioners can see, we have a couple of things coming up for our next meeting.

A. Petition 04-23: Zoning Regulations Amendment (Sec. 3.20.1) to include personal services as a permitted use in Commercial Development Zones (CD), Applicant TPZ, Contact Erik Hinckley.

B. Petition 04-23 Special Flood Hazard Permit at 109 Brookside Road for the replacement of an existing MDC pump station. Applicant: Metropolitan District of Connecticut (MDC) Contact Lindsay Strole, Owner: Milagros and Ramon Del Valle.

XII. TOWN PLANNER REPORT

Paul Dickson: Just to inform the Commission that I did submit the Newington Junction Trail Extension grant. That will connected from, I don't know where it dead ends right now, so this is the Fastrack trail that goes, connecting down at Cedar Street. There are other municipalities, I

know New Britain is looking at connecting trails. This round of the grant has more money than it had last time, so the town did go for a grant on the last round, and did not get it. I worked with the grant writer to add more to the grant and bring it forward, so hopefully we can get the funding. This is for a feasibility study to figure out where the trail will go, and then from there, with the feasibility study again identifying parcels of concern, identifying what we can do to move towards design once we get the round for the trail. So that has been submitted, that is a DEEP grant.

Another item that has been brought up and this actually was brought up prior to my getting here as well, regarding one of the cannabis type uses that is not within Newington's zoning regulations. Newington's zoning regulations have cultivators, micro-cultivators, and retail sales. There is another use, which is packaging, which isn't in the regulations which is specifically spelled out by the public act for the State of Connecticut and isn't in our regulations. We have had some interest from people calling and seeing if that was something that the Commission would be amenable to looking at the zoning regulations and adding it in, so that is kind of an item for discussion for the Commission, to see if that is something that you would like me to look at, proceed with, or from there, kind of talk about the use. You would have cultivators, a lot of cultivators actually do a lot of their own packaging on site, but some cultivators have excess that they can actually process on site, so you are talking about primarily taking cannabis, packaging it, whatever package size, breaking it down, packaging it, and I would be working with the applicant to figure out what extent further they would go since this is one that is permitted by statute but is just not in the Newington regulations.

Chairman Pane: I'll open it up to the Commission, would you like the Town Planner to explore the regulation on that, to allow that, come back to us and propose something?

Commissioner Lenares: It's already here now, we have several varieties of it, and I feel that is probably a small parcel of it. It's not like you are for or against it, you already have it, and it's allowed and it's not an issue and it's a small parcel of the business. We should know more about it and what it entails I guess.

Commissioner Drozd: I completely agree with Commissioner Lenares. Just as a purely curiosity, has someone actually approached the town and said, hey, I'd like to be able to have that packaging business?

Paul Dickson: Yes, people have called us, and it's not in your regulations, is this something that the town would be open to, so that is why I'm bringing it to you as a Commission. If you are open to it I will look at the regulations, look at the existing zones. Just by looking at it from a level of activity, cultivation of course is the most intense activity, with odor and concerns, and here you do have a raw product but you are not doing the drying, you are not doing the flowering process, that kind of excretes that higher level of smell. That would be brought forward during a regulation and considered.

Chairman Pane: I think we should keep an open mind and have you come in with something that you think might work and show it to us. Is that all right with all of the Commissioners?

Commissioner Gill: In regards to cannabis, one of the CRCOG letters is Wethersfield regarding cannabis regulations. My question is, what kind of distances are we, could Wethersfield put cannabis near our borders?

Chairman Pane: Whenever Wethersfield does some sort of development within 500 feet of our town, I think that there is communication between the two towns. Is that correct?

Paul Dickson: Yes, whenever a town does something, whether it is actually a site plan application, or a zoning application that affects that zone that is within the 500 feet, a notice goes to the clerk of the adjoining town so that is where we get these kind of notices from, they get routed right to us and then in your packets as well. What that enables us to do is, if the notice and the purpose of the notice is that we can appear or we can submit commentary to that other town to say, here are our concerns and those can be incorporated into the record.

Chairman Pane: Very good, thank you.

Erik Hinckley: That is how we ended up with an intervener a couple of year ago on Toll Brothers, they actually came from Wethersfield.

Paul Dickson: I'm continuing going forward, looking at the zoning regulations, looking forward to doing some updates to those in the future.

Chairman Pane: I was wondering if we could, we had started working on a streetscape for the New Britain Avenue business district. It all kind of, the ball kind of got dropped, and I was wondering if you could work with Commissioner Lenares and try to get that up and kicking again so that we don't lose out on the grant that we are supposed to be getting for that area. Our town engineer left, as you are well aware, but Erik and all of the businesses and some Commissioners are working together, and they have had quite a few meetings and I would just like to see that we keep that going.

Paul Dickson: Absolutely.

Chairman Pane: Thank you. Any comments or questions from the Commissioners?

Commissioner Lenares: The beautification plaza, I think now it would be two planners ago, and there was an approach to the businesses in that area, that there was state money, grants available for beautification. We set up a few meetings, had a few meetings, some were well attended, some were not by the business owners in that district. There was some back and forth, ideas shared, then from the get to, I was very vocal about what all of the business owners wanted and didn't want in that area, and it was great, and we just wanted to get some monies, some effort, some attention to that area, and we were excited about it, and then of course, as Chairman Pane just said, some of the parties that were in charge kind of all left, and we were like, what do we do now, so I was going to let you settle in a little bit before I hit you with that

one, but I would appreciate it if you could meet at some point. I could kind of catch you up to speed. I don't know if you know anything about it, nothing about it, but it's not the biggest project in the world but we feel it's pretty cool to get some attention down at that end of town. It's important to me and a lot of the other people, so whenever you get a chance we'll chat and kind of go forward with it.

Paul Dickson: I'd be happy to meet with you, meet with other businesses. The most important thing again is to walk the area, see what it is, see what the plans are and identify any way we can help.

Chairman Pane: Thank you. Any other comments or questions from the Commissioners?

XIII. COMMUNICATIONS

No comments

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

Rose Lyons, 46 Elton Drive: It's been a while since I have watched any of your meetings, and I have been looking at the minutes and so forth, but recently there have been comments on Facebook, and I know how you love Facebook comments, so I'm bring this up to ask whether or not there is any area in our town web site that gives the status of the projects that are going on here in town. I know that the people have been talking about the Anthony properties, the old National Welding, and I'm not even sure that property has even been sold yet, and the other property at 3333 Berlin Turnpike, there was some talk that there were some problems with that, there have been many projects over the past two years that have been approved through TPZ but the only feedback I have ever seen is once in a while from our Town Planner with bring us up to date during a Planning and Zoning session, but reading off of Facebook isn't always the best and most reliable information, so I was just wondering if there was something on the town website where people could go and just see exactly where we were with various projects. We all know how many projects were proposed for the top of Cedar Mountain, and I think we are at the fourth one in the ten years I have been watching, and I don't even know if there is a shovel in the ground there yet. I recently contacted Erik regarding Newington Junction and the proposed demolition of the gas station and the car wash, and there doesn't seem to be anything going on there, yet now we are bring back the Newington Junction area and making some changes there. I'm just throwing this out there, I don't need any answers tonight. I hate to bother Erik, but I will. As far as the cannabis goes, I thought there was some proposed dispensary at Krispy Kreme, so I'm guessing they didn't get their license. That too would be interesting to find out, and Erik, the next time you tell, you say the word Toll Brothers, could you give me a warning so I don't go into post traumatic stress syndrome here. Last, but not least, you know how I love the subject of chickens, I don't see any complaints about chickens on the ZEO's report. I'm just wondering if there is any interest, especially with the rising price of eggs. I thought perhaps we would have a lot of permits being pulled to have chickens in the back yard.

With that gentlemen, and I'm sorry Gia I just want to make it a generalized gentlemen, thank you for your time and efforts for doing what you do and I look forward to hearing more about Newington Junction in the future.

Chairman Pane: Very good. Thank you Rose. Maybe Erik or the Town Planner can give a little update on some of the projects that are going on. If you have a list of things that you could tell us what has been started and go from there.

Erik Hinckley: Sure. The apartments at Pane and Maselli Road, they broke ground and started construction. 3333 Berlin Turnpike is well under construction, there are no hiccups that I am aware of. I know they are dealing with MDC like everybody does. Dakota properties, on Cedar Street have two residential buildings up and a club house, and I believe they are anticipating some type of a c.o. in the fall to start. The hotel on Fenn and Cedar has started construction. The Anthony property has not closed with the town yet, they are still finalizing some things.

Chairman Pane: But it's still in the works?

Erik Hinckley: Yes, absolutely. The East Cedar site, up on the hill, was approved. They're targeted construction time is sometime this year to begin construction and that is for a convenience store/car wash, EV charging station and then the EV, electric vehicle show room would be started six to eight months after the completion of the gas station is what we are being told. They are still finalizing their plans, which I think they will be sending them in next week.

Chairman Pane: Fantastic. You have not been flooded with people that want to have chickens?

Erik Hinckley: I haven't had, since the summer I really haven't had any chicken issues.

Chairman Pane: Anyone else from the public that would like to speak?

XV. REMARKS BY COMMISSIONERS

Commissioner Haggarty: I have a question? I think Rose mentioned the Dunkin Donuts gas station on West Hill?

Erik Hinckley: There are issues with that. I did get contacted by an attorney two weeks that wanted all of the approvals for that site, so I sent them off. I'm assuming that something is starting to stir, whether they are transferring the property or getting ready to see what their approval are, so.....

Commissioner Gill: There were some communications out there in that internet thing, and there was some confusion about addresses and what was going there and what wasn't going there, in the Fenn Road area as far as the hotels and long stay hotels. Some of the information, the way that I understood it was not correct.

Erik Hinckley: The hotel is keeping a Cedar Street address, that's what they want, so I believe they are 712 Cedar Street.

Commissioner Gill: Are there any extended stay hotels?

Erik Hinckley: I believe to some extent it is, but I don't know. It's Woodbridge Springs, Suites out of Florida.

Commissioner Gill: There was something that was on the internet in regards, and it was pretty detailed as far as what things were going on within the town, but you clarified some of them, so we know where we are going, going forward.

Chairman Pane: Any other questions or comments?

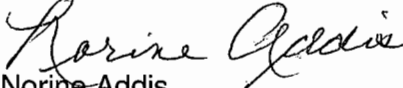
XVI. CLOSING REMARKS BY THE CHAIRMAN

Chairman Pane: I want to thank everyone for the meeting tonight.

XVII. ADJOURN

Commissioner Havens moved to adjourn the meeting at 7:35 p.m.

Respectfully submitted,



Norine Addis,
Recording Secretary