

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

June 22, 2022

Chairman Domenic Pane called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m.

I. **PLEDGE OF ALLEGIANCE**

II. **ROLL CALL AND SEATING OF ALTERNATES**

Commissioners Present

Chairman Domenic Pane
Commissioner Anthony Claffey
Commissioner Bryan Haggarty
Commissioner Garrett Havens
Commissioner David Lenares
Commissioner Johathan Trister
Commissioner Stephen Woods
Commissioner Stephen Dzod-A
Commissioner Thomas Gill-A

Commissioners Absent

Commissioner Hyman Braverman-A

Staff Present

Renata Bertotti, Town Planner
Erik Hinckley, Asst. Town Planner/Zeo

III. **APPROVAL OF AGENDA**

No Changes

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

None

V. **REMARKS BY COMMISSIONERS**

None

Domenic Pane
Town Clerk

2022 JUN 28 AM 9:47

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VI. PUBLIC HEARINGS

- A. Petition 24-22: Special Permit (Sec. 5.2.7) to modify an existing freestanding sign to allow for LED prices at 295 Main St. Applicant Kara Kennedy, Owner: 295 Main Street Newington LLC, Contact: Kara Kennedy (Continued from June 8,. 2022)

Chairman Pane: I think this is pretty simple, I'll have Renata fill us in. This, along with a couple of other ones were not advertised properly so that is why they were continued.

Renata Bertotti: In part this is correct Mr. Chairman.

John LeClerk: Good evening, this is John LeClerk of Station New England.

Erik Hinckley: Are you representing the applicant for the LED pricing?

John LeClerk: That is correct.

Renata Bertotti: So if you want, I can take it, and then if you don't mind, the way this left off, the hearing was continued in part because we did not, my office did not send out abuttors notices in time, and the other issue here is that in our review the staff noticed that in 1991 there was a permit permit that was granted for the conversion of the mini-mart which included four conditions, and one of the conditions limited the total signage on this property to 17.6 square feet. We currently do not have a count of how much signage exists on this property, so that was information that we requested be provided to us, and that was requested I believe on May 20, and there was a follow up phone call I believe to the applicant. The other information that we were seeking is, what is the dimension of the sign, the actual sign that was going to be converted from non-LED to LED, and those two pieces of information we felt were important for the Commission to know before we would be able to recommend it this evening. I believe the applicant's representative may have answers for that tonight.

Chairman Pane: Thank you Renata. The applicant would like to fill us in?

John LeClark: We're going with exactly the same footprint that is there for the actual sign. I did get a notice that there is a cardboard car wash sign that somebody added to the bottom of this sign. That will be removed. Exxon-Mobil does not allow those signs to be on there, so we have to remove them regardless, so that is going to be gone. We are going to stay within the actual signage that was allowed originally.

Chairman Pane: Very good, anything else? Any questions from the Commissioners? I'll go to the public, anyone wishing to speak in favor of this application? Anybody wishing to speak in opposition to this application? Does the applicant have anything else that you would like to add?

John LeClark: No, this is pretty clean cut, we're just going from one brand to another.

Chairman Pane: Thank you very much. I'll entertain someone to close this Petition, 24-22 and move it to Old Business.

Commissioner Havens made a motion to close and move Petition 24-22 to Old Business, seconded by Commissioner Haggarty. The motion passed unanimously with seven voting YEA.

Petition 28-22: Special Permit (Sec. 3.23.1.B) An accessory Outside Use to allow a tent event for firework sales at 95 Fenn Road. Applicant: Keystone Novelty Distributors LLC, Owner; 95 Fenn Road LLC, Contact Alex Mutzabaugh. Continued from June 8, 2022)

Chairman Pane: Once again we had the presentation at the last meeting and everything was pretty straight forward, I don't think that there is anything new, the abutters have been notified.

Renata Bertotti: The abutters have been notified and the applicant has satisfied our comment, there were some comments that at the time they were outstanding, but they revised the plans to show certain distances around the tent and we also recommended some conditions in regards to placement of the tent and the twenty foot radius around it and then there was a comment that was needed to be addressed by the Fire Marshal in regards to the distance.

Chairman Pane: Any questions from the Commissioners? Does the applicant have anything they would like to add?

Keith Lambert: I think this is pretty straight forward. We updated the map, and I believe that we just need to have our inspection done once the tent and all of the product is displayed, and then we will be, we should be good to go.

Chairman Pane: Okay, very good. At this time we will open this up to the public. Is there anybody either here or on line that wishes to speak in favor of this application? Anybody wishing to speak in opposition? Hearing none, I'll ask for a motion to close and move to Old Business.

Commissioner Woods moved to close Petition 28-22 and move it to Old Business. The motion was seconded by Commissioner Havens. The vote was unanimously in favor of the motion, with seven voting YEA.

- B. Petition 29-22: Special Permit (Sec. 3.23.1.B) an accessory outside use to allow a tent event for fire work sales at 205 Kelsey Street. Applicant: Keystone Novelty Distributors LLC, Owner: Reno Properties LLC, Contact Alex Mutzabaugh. (Continued from June 8, 2022)

Chairman Pane: Same thing here, the abutters have been notified. Renata, have they complied with everything on this location.

Renata Bertotti: Yes, this is the same situation as the previous application. The applicant complied, provided revised plans and on the revised plans have provided all of the staff comments and we recommend approval.

Chairman Pane: Any questions from the Commissioners? We'll go straight to the public. Anybody wishing to speak in favor of the application please come forward. Anybody wishing to speak in favor of this application? Any body wishing to speak in opposition? Hearing none, I'll entertain a motion to close the petition and move it to Old Business.

Commissioner Havens moved to close Petition 29-22 and move it to Old Business. The motion was seconded by Commissioner Haggarty. The motion passed unanimously with seven voting YEA.

VII. NEW BUSINESS

- A. Petition 27-22 Site Plan Modification of the Existing Parking lot, loading docks and lighting at 65 Holmes Road. Applicant BL Companies Inc., Owner 65 Holmes Investment Partners, LLC, Contact; Kevin Hixson.

Kevin Hixson: Senior Project Manager, at BL Companies located in Meriden Connecticut. This is a site parking lot modification with It's a 9.04 acre parcel, and the spaces there now are 144. The entrance into the site is on the east side.

The site plan modifications, we are adding concrete to the loading docks, right now it's asphalt, and we're also adding a couple of additional, I think it's eight loading dock doors on the building, so these are modifications for the additional spaces that are on the east side. These wrap around, these are on the north of the building. As you wrap around the east side of the building, this is where the entrance to the building will be. We added to the plans that we sent to the town last week, we added a ramp.....

Renata Bertotti: Keven, with your permission, I think we are going to display the plans on line because the public needs to see, as well as what you are showing and I think the Commission really has a hard time seeing at a distance like this. The one question for you.....

Erik Hinckley: These are not the revised plans, these are the ones dated May 17th.

Renata Bertotti: So we are showing the May 17th plans, and you are showing the revised plans. So as we are displaying, if you want to just point out the things that are different because the things that are on the screen will be different than what you are showing.

Kevin Hixson: I just want to update the building square footage, it was 127,447, and it is now 117, 667. There was a 10,000 square foot addition on the west side of the building that was removed and that reduced the square footage overall. On the site plan what we have here, on the right side, there will be associated parking spaces there. The entrance to the building, to the facility will be on the east side, and the difference on the revised plans is that we have an ADA ramp that gets you up to that level in addition to the stairs.

On the north side, the difference between this plan and the updated plan is the addition of concrete heavy duty pavement that will be at the eighteen loading dock doors, and then the removal of the post indicator valves for two fire lines so we want to contact with the deputy Fire Marshal to get the final confirmation from the Fire Marshal that we can remove those, basically the are indicator valves for two fire lines that serve both tenants to go right up directly to Holmes Road right now.

Chairman Pane: You want to remove it?

Kevin Hixson: What's that?

Chairman Pane: Those are stand offs?

Kevin Hixson: They are post indicator valves so they are not even like a hydrant. There is a water meter at the north side, there is a water line that goes straight up to Holmes Road, so that is all intact. There is a sprinkler inside the building, we sent the deputy Fire Marshal pictures of the sprinkler inside the building so he just wanted to have an understanding of what it was, and so my thought was, not to interrupt the service, put in a shut off at that location where the rectangle is, so the Fire Department knows where the shut off is, but basically will remove that and bollards, there are bollards surrounding these post indicator valves. I guess at one time they had, the land owner was fine with having those removed, but again, I'd get final confirmation from the Fire Marshal.

Chairman Pane: So would they still act as a shut-off or not?

Kevin Hixson: Yes, yes they would.

Chairman Pane: Wouldn't you still want to protect them?

Kevin Hixson: Well, they are above, like three and a half feet above, and that is why they had the bollards around it, but the switch would be to a valve box that is flush with the grade.

Chairman Pane: Okay, thank you.

Kevin Hixson: On the right side of the building there is additional parking,

So access from that parking space to the northside of the building, we have added in a sidewalk, a proposed sidewalk that gets you to the other entrance that is there right now. That will be a secondary entrance to the building on the north side, so you can see there, make your way to the east, go right, and there is a ramp that gets you up to that four foot level.

Chairman Pane: Does the staff have anything to add or have they complied with everything that is needed.

Renata Bertotti: Yes, we have one comment which is a condition that is to be placed on the approval because they are required to keep screening and there is currently screening existing on site, so we will just recommend with certain language to ensure that screening remains.

Chairman Pane: The screening of the loading docks?

Renata Bertotti: Yes.

Chairman Pane: How are they screened now?

Renata Bertotti: We have zoning regulations that requires the Commission reviews and approves any loading dock doors facing public street to be screened. They currently have trees, they are about ten feet that line up Holmes Road. They will screen the new loading dock doors that they are proposing. It's going to be important in the future that they maintain that screening. That is one thing of relevance I think going forward.

Commissioner Claffey: So we're going to ask, I'm trying to I know this building pretty well, so the screening, is that Holmes Road? So we're going to ask them to add more to a building that is already, has screening across the front of it on the street.

Renata Bertotti: No, there is already screening and I think we should just, we need to include the language that they need to maintain that screening.

Commissioner Claffey: Maintain, but not add any.

Kevin Hixson: We will be adding honey locust trees.....

Commissioner Claffey: I'm looking at it that we are not imposing to add more to a building that already, you're not adding to your building, you are just cutting eight doors in. That's why I want to be sure that we are not imposing more.....

Renata Bertotti: I don't think we should ask for addition, I just think it is important to make sure that these trees are not neglected.

Chairman Pane: Any other comments from the Commissioners? No other questions. Thank you very much.

Commissioner Woods made a motion to move Petition 27-22 to Old Business. The motion was seconded by Commissioner Claffey. The vote was unanimously in favor of the motion, with seven voting YEA.

- B. Petition 30-22: Site Plan Modification to modify the access from Hartford Ave at 4 Hartford Avenue. Applicant DYJ LLC, Owner: DYJ LLC, Contact, Jawa Shaio.

Chairman Pane: Will you briefly tell us what is going on, on the property and what you are looking for, some modifications, we would appreciate it.

Brandon Hanfield: I'm a professional engineer licensed in the State of Connecticut and I'm here representing Jawa Shaio and DYJ LLC. I'm keep my presentation brief, there is not a lot of changes from what you approved in 2020, but if it helps I do have some graphics to kind of walk through what the site plan changes are. What you have in front of you, this is the site plan that was approved in 2020, June 10th, 2020 by the Commission. Just to orient ourselves, the site is located to the north of Hartford Avenue on Route 176 and to the east of Main Street, so it is right in the intersection of those two roads. In 2020 a proposed gas station and convenience store was approved by the Commission and after that, about six months after that we went to the DOT and submitted our plans for encroachment permit review. During that review the DOT had some comments on how the access function to their state road, so what I will do is to show you what was approved and I just outlined the area of the site in question here, with red. What you see if that we had a single exit lane that could turn right or left onto Hartford Avenue and then we had a single entry lane where people traveling northeast or southwest could turn into the site, and the reason we had two separate lanes is that we wanted to preserve an existing curbed island that had a major utility pole and a significant amount of telecom on it, so that island is right here. So this is the site plan that was approved, and the mylars that were filed. What you see, it should scroll over so you see the change, what happened is that the DOT wanted a right turn out only land only onto their road. In addition to that, they wanted that right turn out land to handle the WB67 Tractor trailer trucks that delivers fuel to the site. To do that, the lane, the pavement itself got wider and we put it geometrically restrictive angle on the road to discourage people from turning left onto the state road. We maintained the island, we maintained the utility pole, again if I cycle back you can see the change. The inbound lane basically stays the same and the outbound changes in geometry and we have a striped area. So what we gave the DOT was a WB67 turning plan so this shows the tractor trailer truck traveling south on Main Street, turning left into our site without fouling any curbs, traversing the site and then exiting in a right turn fashion onto their road. Again, the rear wheels, drag wheels do not foul our curb and the front wheel does not go over the central line of R176, so that is the reason the site plan changed in terms of geometry of the exit lane. All of the changes were within the state's right of way so no changes to parking, no changes to the internal configuration of this site, and I think you can see that by looking between the two, this is the 2020, this is the 2022, nothing changes except for that exit lane. So that is the long story short, I'd be happy to answer any questions that you may have, but again a minor change related to the DOT's comments, and they were satisfied in April of 2021 with this plan.

Chairman Pane: Very good, thank you very much. Any questions from the Commissioners? Any questions? Renata, anything else you would like to add?

Renata Bertotti: Erik will answer this.

Erik Hinckley: Again, this is a request by DOT and their purview over the state road, and the changes are minor in nature and really don't affect the on-site, just the access to and from the site. I see no reason not to approve.

Chairman Pane: Thank you Erik. I'll entertain a motion to move Petition 30-22 to Old Business.

Commissioner Havens moved to move Petition 30-22 to Old Business, seconded by Commissioner Claffey. The motion was approved unanimously with seven voting YEA.

- C. Petition 33-22: Special Permit (Sec 5.3.9) Site Plan modifications to replace the excess parking areas with landscaping, to relocate dumpster locations and other appurtenances, and to modify the site circulation at 96-100 Pane Road (Previously approved as the residential portion of 3333 Berlin Tpke) Applicant: HJG-PC Newington Investor, LLC, Owner: The Rocky River Realty Company, Contact: Jamie Anderson.

The change in parking requirements was really a benefit, we targeted 440, and we met with the fire department about circulation. There used to be a cut through and we are trying to take advantage of the decrease in the parking and the changes. Before the buildings were really separated and now we really have tried to provide some green space for both buildings so people could go outside, work remotely, play with their kids, those kind of things, so the building to the north benefited from the reduction in the parking requirement.

Chairman Pane: And the reduction in parking is just the deferred park area that we allowed to be deferred, not needed, correct Renata?

Renata Bertotti: That is correct.

Chairman Pane: They are only eliminating parking spaces in the deferred area.

Renata Bertotti: Yes, so when this application was originally approved we had a provision in our regulations that allowed a deferred construction of parking, but our required parking was much higher, we required I believe like two parking spaces for each apartment. We have since revised our parking requirements, making them lower to comply with state statutes, and also it is much closer to what their actual needs are, so with that in mind.....

Chairman Pane: What does the state require?

Renata Bertotti: Our regulations now require one space to any one bedroom apartment, and two spaces for two or more bedroom.

Chairman Pane: From managing your previous complexes, with the proposed parking.....

Jaime Anderson: We can work with that. Based on our experience, 1.5, we have room for visitors, for staff and there are clusters of parking all around in the commercial space, not that we feel that we need it, but, we didn't want to be overparked. We tried to straighten out some of the landscaping that we were able to gain around the buildings, trying to create some garden terraces, patios, so if you wanted a patio, you would have an enclosed space, and you can tell by kind of (inaudible.)

So what you can see here, and I apologize for the light green, which is kind of hard to see, the light green represents the changes in the projects, the dark, the black is what was approved and filed in the town land records. As you can see, in the dark black, between the two residential buildings, there was an access drive through there, and there was parking and we have been able to make that a green space, add a sidewalk and just to the right of that you can see where you can see in the light green compared to what was there before, and we added a couple of out buildings, the pool, and what have you, and working our way down the page, or south, we split the building, building number one down and to the left a little bit, so we were able to add a little more green space around the building. To the left we took out some of the parking, it's really hard to see, we took the parking out and added more green space as well, so as far as the garages, they stayed essentially the same and working out way farther south, there is the parking

we removed for additional green space. There is the circle that is in the middle of the drive, basically it is not a round about, it kind of looks like one, but so that will be just a ground feature with cobblestones, or pavers or what have you, so what we are trying to obtain here is traffic calming situation, where as you drive in, and everybody has been through a round about in the past, so they know to slow down a little bit, they understand how to get around it and that is what we are trying to induct here as you are pulling into the residential site, it is, slow down and start paying attention to what is going on.

Chairman Pane: Is there still the gateway sign there?

Jaime Anderson: Yes, absolutely. There will be a revised, from the previous design, there was parking south of this building, but now this is the curb line extended to the side and we have designed the landscaping

The other thing is, we honored the limit of disturbance, we didn't make any changes to the outline, potentially the changes were made to the east but we really tried to eliminate the parking spaces, create some more green space and really had the two access points coming from the commercial, the secondary one, and now to the north you can see, minor adjustments, shape of the islands,

There will be a nice green space here for families, to read or just enjoy and we have that kind of space for each of the buildings because we were able to minimize the parking, based on our needs and just really trying to create a residence. We additional showed here, the better access

If you have any questions, take a look at this, and we're really exciting about this. We are going to start so that by the end of next year we will have tenants in building one, and the entire parcel in 2022 will be starting development.

Erik Hinckley: I brought the landscaping plan if you want to discuss it, it's up to you.

Jaime Anderson: You can see the patio area, the green area where people can just sit down and relax. This really ties the whole development together with the commercial opportunity, go out to eat, to go shopping at the grocery store there.

Chairman Pane: Very good, thank you very much. Any questions from the Commissioners? Renata, do you have anything else you would like to add, or Erik?

Renata Bertotti: No, I would like to say that I personally like very much the changes that they have proposed. We have some very minor outstanding comments, we are prepared to recommend that the Commission approve this subject to staff modifications, the engineer has commented and there are some notes that we will need to confirm that no changes will be made to the (inaudible) management report, etc., and our concern had to do with the location of the dumpster area which was a little bit inefficient.

Chairman Pane: Things should improve because there is less paved area.....

Renata Bertotti: We agree and the engineering department agrees, so it is just a matter of seeing what is on the plans with what is on the engineering report. Aside from those minor comments, we feel that all on the staff level like this plan.

Chairman Pane: It's a very nice plan, nice improvements. I like the extra green space, I think it's going to be a big benefit to the people living there, making it a nice project. I'll ask one last time, are there any questions from the Commissioners? I'll entertain a motion to move Petition 33-22 to Old Business.

Commissioner Woods moved Petition 33-22 to Old Business, with the motion being seconded by Commissioner Havens. The vote was unanimously in favor of the motion, with seven voting YEA.

VIII. OLD BUSINESS

- A. Petition 24-22: Special Permit (Sec. 5.2.7) to modify an existing freestanding sign to allow for LED prices at 295 Main St. Applicant Kara Kennedy, Owner: 295 Main Street Newington LLC, Contact: Kara Kennedy

Renata Bertotti: Our motion was to continue the public hearing because we were not, we did not know if we would have the information that was provided to you tonight. Considering that the applicant's representative has, on the record stated that the signage, some signage will be removed, that the signage on site will not exceed what was approved, meaning 76 approved square feet, and that the dimensions, the LED signage will not exceed what is existing on the signage I feel confident that you could approve that with conditions as stated on the record.

Commissioner Woods moved to approve Petition 24-22 Special Permit (Sec. 5.2.7) to modify an existing freestanding sign to allow for LED prices at 295 Main St. Applicant Kara Kennedy, Owner: 295 Main Street Newington LLC, Contact: Kara Kennedy.

Conditions:

1. That the square footage of the sign does not exceed 76 square feet and the sign conversion of the signage to LED does not exceed the existing signage, and the removal of the car wash sign shall not be attached to the sign.

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

- C. Petition 28-22: Special Permit (Sec. 3.23.1.B) An accessory Outside Use to allow a tent event for firework sales at 95 Fenn Road. Applicant: Keystone Novelty Distributors LLC, Owner; 95 Fenn Road LLC, Contact Alex Mutzabaugh

Commissioner Havens moved to approve Petition 28-22 Special Permit (Sec. 3.23.1.B) An accessory Outside Use to allow a tent event for firework sales at 95 Fenn Road. Applicant: Keystone Novelty Distributors LLC, Owner; 95 Fenn Road LLC, Contact Alex Mutzabaugh.

This approval is granted subject to the conformance of the submitted plans as may be modified by the Commission in this approval and the following conditions and modifications

Conditions:

1. The tent shall be installed not more than five days prior to the commencement of the retail sales activities and shall be removed no later than July 10, 2022.
2. Temporary signage shall only be installed in accordance with the application and Section 6.2.2.I.
3. All supplies, products and related materials shall be kept within the tent at all times.
4. All comments provided by the Fire Marshal on June 7, 2022 shall be satisfied.

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

- D. Petition 29-22: Special Permit (Sec. 3.23.1.B) an accessory outside use to allow a tent event for fire work sales at 205 Kelsey Street. Applicant: Keystone Novelty Distributors LLC, Owner: Reno Properties LLC, Contact Alex Mutzabaugh.

Commissioner Trister moved to approve Petition 29-22: Special Permit (Sec. 3.23.1.B) an accessory outside use to allow a tent event for fire work sales at 205 Kelsey Street. Applicant: Keystone Novelty Distributors LLC, Owner: Reno Properties LLC, Contact Alex Mutzabaugh.

This approval is granted subject to conformance with the submitted plans and is being modified by the Commission in this approval and the following condition modifications:

1. The tent shall be installed not more than five days prior to the commencement of the retail sales activity and shall be removed no later than July 10, 2022.
2. Signage shall only be installed in accordance with this application in Section 6.2.2.1.
3. All supplies, products and related materials shall be kept within the tent at all times.
4. All comments provided by the Fire Marshal on June 7, 2022 shall be satisfied.

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

- D. Petition 27-22 Site Plan Modification of the Existing Parking lot, loading docks and lighting at 65 Holmes Road. Applicant BL Companies Inc., Owner 65 Holmes Investment Partners, LLC, Contact; Kevin Hixson.

Commissioner Trister moved to approve Petition 27-22 Site Plan Modification of the Existing Parking lot, loading docks and lighting at 65 Holmes Road. Applicant BL Companies Inc., Owner 65 Holmes Investment Partners, LLC, Contact; Kevin Hixson. This approval is granted subject to the conformance with the referenced plans and may be modified by the Commission in its approval and the following condition modifications: Referenced plans, site plan modification 65 Holmes Road, prepared by BL companies dated 5/17/2022 revised 6/16/2022, sheets one through four inclusive.

Conditions:

1. The final plans shall be revised as follows;
 - A. To address any outstanding comments from the Town Engineer.
 - B. To reflect the correct location of the inland wetland upland review area
 - C. To edit the parking table on sheet AL F1 to replace the term provided with existing
 - D. To include a note to indicate that the ten established trees along Holmes Road are to remain per section 4.2.2.2.

Prior to the commencement of site work an agent approval for work to be conducted within the southeast corner of the property shall be obtained from the town's Inland Wetland Agent.

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

- E. Petition 30-22: Site Plan Modification to modify the access from Hartford Ave at 4 Hartford Avenue. Applicant DYJ LLC, Owner: DYJ LLD, Contact, Jawa Shalo.

Commissioner Havens moved to approve Petition 30-22 Site Plan Modification to modify the access from Hartford Ave at 4 Hartford Avenue. Applicant DYJ LLC, Owner: DYJ LLD, Contact, Jawa Shalo. The approval is granted subject to conformance with referenced plans as may be modified by the Commission and this approval, Reference Plans, gas station/convenience store, site development plans for 4 Hartford Avenue, Newington, CT Map 04 Plot 177 Lot 00A prepared by the Yantic River Consultants dated 3/20/22, revised 11/4/21, sheets one through seven inclusive.

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

Petition 33-22: Special Permit (Sec 5.3.9) Site Plan modifications to replace the excess parking areas with landscaping, to relocate dumpster locations and other apurtenaces, and to modify the site circulation at 96-100 Pane Road (Previously approved as the residential portion of 3333 Berlin Tpke) Applicant: HJG-PC Newington Investor, LLC>, Owner: The Rocky River Realty Company, Contact: Jamie Anderson.

Commissioner Woods: I'll go ahead and finish it Mr. Chairman, this approval is granted subject to the performance referenced plans as may be modified by the Commission for this approval. The following conditions; Referenced plan, the site plan modification application documents for the proposed Meadow Common, 3333 Berlin Turnpike Newington Connecticut, prepared by BL Companies, dated 6/10/2022, sheets one through seven inclusive.

Condition:

1. Satisfy all comments from the Planning and Zoning Office in a letter dated June 14, 2022 to satisfy all comments from the Town Engineer and a letter dated June 22, 2022.

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

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING

Chairman Pane: I'm not sure if our Town Planner has anything to talk about on that.

Renata Bertotti: We do not have the scheduled block.

X. TOWN PLANNER REPORT

Renata Bertotti: The next meeting is looking like a sort of good policy meeting, we will have a couple of regulation amendments that we will be looking at. One is going to be to revise Zoning Regulations for those mechanical units that the ZBA has always had a lot of them, and the other one will be to revisit the cannabis regulation in regards to the over concentration of cannabis businesses in lieu of this sort of thing in the law that they changed.

In addition to that I also wanted to bring to you that maybe a month ago, two months ago I was invited into a web meeting of a group called Greater Hartford Mobility Study group, and this is a group that is commissioned. They are a contractor doing a mobility study and this is like a multi-year project study that is undergoing and they did a presentation. Gary was invited, and I was invited for like the first time. So, as I sat in that meeting and they were talking about certain alternatives that they were going to seek public input from, you know, they referenced certain things, in Newington. Now this is a planning study, this is not anything that is happening tomorrow but as they were talking about it, I kind of figured that it would be pertinent to bring them to you, and actually have them present this study and these potential alternatives to the Planning Commission. So they will be coming on the 13th and talking to you and seeking some input from you. That will happen at the next meeting as well. Also at the next meeting I will present to you the report that we presented to the Town Council at the last meeting regarding the grant that I was able to secure for Newington Junction study. We got \$10,000 planning grant, finished the report and I'm going to talk to you about that report, the findings, the recommendations and the future of that. I think that is all going to happen at the next meeting.

Chairman Pane: Fantastic. Any questions for Renata?

Renata Bertotti: Oh, I forgot, we are also going to talk about the B Zone because I was able to like make a move on that, so the business zone changes and some kind of plan of action for the zoning regulation planning changes in regards to that. I want to do outreach, so I was thinking about you know, once we start doing the comprehensive changes to the zoning regulations, one way to do it is to organize them in

a section when we look at business zones together. Those changes are going to be pretty consequential and pretty big, and we want to do them in a way that involves people that are, or other people that are not us, because we can't figure it out, and even when we involve people other than us, we're still going to face challenges and make mistakes, make things like, oh my God, how did I not think about that! So we are going to talk about that a little bit more but one of the things that I was thinking about was you know, there is no need to talk about a good way to reach out to the business community. Small business community and large business community which is different. Me reaching out to people who own businesses in the PD Zone is different than me reaching out to people that own small business on Stoddard Avenue or New Britain and Maple Hill intersection, it's just different. So we will talk about all that.

XI. COMMUNICATIONS

A. West Hartford TOD Update

Renata Bertotti: I included, I only sent you that little newspaper article because West Hartford had a whole entire page dedicated to their TOD, and you can go on their web site and see a lot, but that would have been like 200 pages and I wasn't going to send you that, but I did send the article to you. If you are that interested, it is there, but their Planner told me that their initiative on TOD goes back about ten years, It includes things that evolved around the road diet. They wanted to fix their zoning, and in 2020 they adopted the TOD and they, at that time, decided that this was a priority, to have this TOD in this area. They have some other related uses, they reached out to the business community, the business community somehow agreed to make itself non-conforming, so they didn't do an overlay which is what I am thinking we should do in Newington Junction, they did outright zoning, so what that means is for those car repairs, auto body shop, they made them non-conforming businesses, but they also will be investing about five million dollars in various improvements for bike lanes, road diets, stuff like that, public infrastructure type of stuff in order to compliment this TOD, so it kind of goes hand in hand, and one of the messages that came from this is, if you are serious about TOD you have to think from a two way, you have to think on zoning and you have to think like from the money end. It has to be from the public end money and private money. You have to make it incentivized from private development and then the municipality needs to be willing to put some money towards that.

Chairman Pane: Where is this five million coming from? The State?

Renata Bertotti: Federal grants, state all kind of places. West Hartford is, they have money.

Commissioner Claffey: I only brought it up last meeting because it is not too many block when you look at their map from, two blocks, three blocks max from Newington, and we have our TOD that abuts, and I think we have been very quiet on it, but with all of the development that has come through our Commission, I think it is something to watch. I mean, I've been watching it over that area, and I watched them push businesses out that they don't want any more. I don't know if that is something in our TOD, I agree with you, I want the overlay to give the option, if something at this time isn't ready to come into this area, but something else is, if you have the overlay it gives you a little more versatility like you said, bringing the businesses in and bringing the developer in. You can't have just one, you need both.

Renata Bertotti: So our area is such that, where their area is, they are on an arterial road, and they have sort of a commercial area. Now where we are, we are in the front residential and in the back is industrial. If we are looking at Newington, if we are looking at Newington Road, if we are looking at Day Street it is a different section, but where I was primarily thinking we're set up a little different so we would have to have a different design, different thinking and different approach than they would.

Chairman Pane: Very good. Any other questions?

Commissioner Claffey: I think this has already been approved by them.

Renata Bertotti: They approved it yesterday and I think it is effective next week.

Commissioner Claffey: There wasn't much residential or business push back from what I have read. Anything considered with Day Street, if anything tries to change over there, any business, there is always impediments to the development of that area. I'm just saying, even on Willard Avenue, there was push back on trying to just beautify a business, like the Phillips 66. How many people came against them just trying to change the look of their building a little bit? What we have is two separate unfortunately wrapped around residential where this there are trying to push the residential into where there used to be industrial and manufacturing.

Chairman Pane: Okay, we will keep our eye on this and if some of the things that they are doing doesn't match our area that we need to be independent for what is right for the Town of Newington and our TOD area.

Commissioner Claffey: I'm not saying we should be doing what they are, we should watch this so we can evolve and continue to grow with what we have. This was a prime example how they continued to grow.

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

None

XIII. **REMARKS BY COMMISSIONERS**

None

XIV. **CLOSING REMARKS BY THE CHAIRMAN**

None

XV. **ADJOURN**

Commissioner Havens moved to adjourn the meeting which was adjourned at 8:10 p.m.

Respectfully submitted,



Norine Addis,
Recording Secretary