



# CITY OF NEW BRITAIN

## CITY PLAN

EST. 1871

CHAIRPERSON EILEEN GORCZYCA

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### MEETING NOTICE

#### CITY PLAN COMMISSION REGULAR MEETING

**MONDAY \* MAY 4, 2020 \* 6:30 P.M.**

**CITY HALL \* ROOM 201 \* 27 WEST MAIN STREET  
NEW BRITAIN, CONNECTICUT**

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### COMMISSION MEMBERS

**Eileen Gorczyca  
G. Geoffrey Bray  
Craig DiAngelo**

**Dominick Palmisano  
Mary-Jean Wasley  
Homer White**

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### Agenda

1. Call to Order and Roll Call
2. Public Comments
3. Minutes of March 2, 2020 - Regular Meeting
4. Subdivision Extension of Approval – S-199 Kennedy Estates Subdivision
5. Zoning Board of Appeals Items
6. Staff Report
7. Other Matters
8. Adjournment

#### Copies to:

Mayor Erin E. Stewart  
Justin Dorsey, Chief of Staff  
Mark Bernacki, Town & City Clerk  
Mark Moriarty, Director of Public Works  
Property Management  
Sergio Lupo, Director, LP&I

#### Common Council Liaisons:

Chris Anderson  
Howard Dyson  
Kristian Rosado

## **MINUTES: REGULAR MEETING**

City Plan Commission  
Room 201 – City Hall  
27 West Main Street  
New Britain, Connecticut  
March 2, 2020

### **Members Present**

Eileen Gorczyca, Chairperson  
G. Geoffrey Bray, Vice-Chairman  
Dominick Palmisano

Mary Jean Wasley  
Homer White

### **Others Present**

Earl Dubree  
Bill Carroll, Director of Economic Development  
Alderman Chris Anderson, Common Council Liaison  
Steven P. Schiller, AICP Planner  
Danielle Rosado, Administrative Assistant

#### **1. Call to Order and Roll Call:**

Chairperson Gorczyca called the meeting to order at 6:33 p.m. A quorum of five (5) members was present upon roll call.

#### **2. Public Comments:**

There were no public comments.

#### **3. Minutes of January 6, 2020 – Regular Meeting**

ACTION: A motion to accept the Regular Meeting Minutes of January 6, 2020, was made by Commissioner Bray and seconded by Commissioner White. The motion passed by unanimous vote.

#### **4. Zoning Change Petition #35004: 548-550 & 560 Farmington Avenue**

[An amendment to change the official zoning map, changing the zoning of properties at 548-550 and 560 Farmington Avenue, from T (Two Family) to B-1 (Neighborhood Business)].

This proposed zone change encompasses two properties totaling approximately 1.54 acres in area and situated on the western side of Farmington Avenue, directly across from the intersection with Blake Road. The property at 548-550 Farmington Avenue is .90 acres in area and occupied by the Catanzaro's Market, a long established butcher shop and market, originally established sometime around 1920, as Lech's Market. The business also has a 4,300 square foot pre-engineered steel warehouse on the property, which was allowed by variance in 2001. There is an existing two-family, wood-frame house build around 1920 on the site as well. The property at 560 Farmington Avenue is .55 acres in area and is the site of another two-family house, this one constructed around 1939. The market and associated warehouse are considered to be legal nonconforming businesses in the T residential zoning district.

Mr. Schiller summarized the staff report, suggesting that taking into consideration the types of uses and the potential impacts of a full-potential development on the site under the proposed B-1 zoning, the information presented at the time and the stated planning policies the Plan of Conservation and Development, the City Plan Commission recommends against the adoption of this zone change to B-1 at this time. The Commission is supportive of the continuation of the existing

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business use on the site and would be potentially receptive to reasonable improvements and expansion on the site as the need arises.

**ACTION:** A motion to approve the unfavorable staff report was made by Commissioner White and seconded by Commissioner Bray. Motion denied by unanimous vote.

### **5. Zoning Board of Appeals Items**

**APPLICATION:** #4873  
**APPLICANT:** David Frank for DealPoint Merrill, LLC  
**ADDRESS:** 1055 West Main Street  
**ZONE:** B-2, Shopping Centers

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The applicant is requesting a modification to an existing variance 150-10, for permitted uses and variances to Sections 150-40-70.01, required front yard and 150-40-70.02, required side yard toward a side street, in order to construct additional storage building unit buildings on the Cube Smart property on West Main Street.

Mr. Schiller summarized the unfavorable staff report stating the Commission is of the opinion that the original 2015 variance allowing the initial change in use to self-storage sufficiently addressed the hardship of the existing supermarket building and site characteristics and market conditions not lending itself to any feasible, conforming B-2 business use. The addition of these new units would result in a substantive change to the appearance and character of the operations on the site, potentially to the detriment of the neighborhood.

**ACTION:** A motion to approve the unfavorable staff report was made by Commissioner White and seconded by Commissioner Wasley. Motion passed by unanimous vote.

**APPLICATION:** #4874  
**APPLICANT:** DATTCO, Inc.  
**ADDRESS:** 315 South Street  
**ZONE:** I-2, General Industry

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The applicant is requesting the granting of a special exception under Sections 200-20-100, 200-20-110, 200-20-120 and 200-20-130, in order to allow issuance of a DMV license for motor vehicle sales, repairs, leasing and vehicle washing at an existing DATTCO bus facility.

Mr. Schiller summarized the favorable staff report stating the Commission is of the opinion that this particular location is appropriately zoned to allow a licensing for sales, repair and lease of buses and that it would have virtually no effect on the character of the property or on any adjoining neighbor. The Commission has no objections provided that the property and business operations are kept in compliance with all applicable provisions of the zoning ordinances, particularly as they relate to the buffer zone and screening along the residential property lines and that no parts or wrecked vehicles be kept unscreened from the street or from any adjoining property. Presuming

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this special exception is approved by the Zoning Board of Appeals, a formal application with signed A-2 survey plans will be needed to be submitted for formal location approval by the Common Council, acting in its capacity as the city's Zoning Authority.

ACTION: A motion made by Commissioner Bray and seconded by Commissioner White, to approve the favorable staff report, passed by unanimous vote.

**APPLICATION:** #4875  
**APPLICANT:** Aurelio Ramirez  
**ADDRESS:** 663-665 Stanley Street  
**ZONE:** T, Two-Family

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The applicant is requesting a variance to Sections 90-40-20, lot area per dwelling unit and 240-20, required off street parking, in order to allow the conversion of a former funeral home space into a second residential apartment unit.

Mr. Schiller summarized the favorable staff report that stated the Commission has no objections to the granting of this variance, provided that all necessary Building Department permits are taken out for the conversion and the building inspected to ensure compliance with all applicable fire and building codes.

ACTION: A motion made by Commissioner White and seconded by Commissioner Palmisano to approve the favorable staff report, passed by unanimous vote.

**APPLICATION:** #4876  
**APPLICANT:** Beata and Jerzy Krawczyk  
**ADDRESS:** 21 Queen Street  
**ZONE:** S-2, Single Family

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The applicants are requesting variances to Sections 70-40-10, minimum lot area and 70-40-50, minimum lot width, in order to split a 100 foot wide 13,500 square foot parcel into two 50 foot wide, 6,750 square foot building lots.

Mr. Schiller summarized the favorable staff report that stated the Commission notes that the re-establishment of lots from old subdivisions has generally been viewed favorably, provided they are single-family houses, consistent in character with the surrounding neighborhood, and meet all current yard setback requirements.

ACTION: A motion made by Commissioner Bray to approve the favorable staff report was seconded by Commissioner White and passed by unanimous vote.

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**APPLICATION:** #4877  
**APPLICANT:** Hamza Lehnoud for Meriden Makeovers, LLC  
**ADDRESS:** 195 East Street  
**ZONE:** B-1, Neighborhood Business

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The applicant is requesting variances to Sections 140-40-70.01, required front yard and 140-70.02, required side yard, in order to allow the expansion and conversion of a former gasoline/repair garage into a convenience store.

Mr. Schiller summarized the favorable staff report stating that the Commission supports the restoration of this building as a neighborhood convenience store and has no objections to the granting of the requested variances, provided that as a condition of approval there is a full-site plan review and approval through the City engineering, building department and planning staff and that driveway, sidewalk and landscaping improvements are made to the site.

**ACTION:** A motion to approve the staff report was made by Commissioner White and seconded by Commissioner Wasley. After a discussion, the motion was split by a vote of 2-to-2 (Commissioner Wasley and Commissioner Palmisano approved and Commissioner Bray and Commissioner White abstained).

**APPLICATION:** #4878  
**APPLICANT:** Brian Conaci  
**ADDRESS:** 994 West Main Street  
**ZONE:** B-3, Secondary Business

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The applicant is requesting a special exception approval pursuant to Section 160-20-90, in order to allow a restaurant beer and wine license in conjunction with the Brian's Fare Restaurant which recently opened in this new location. An identical special exception application for a restaurant beer and wine permit was granted for Cracovia Restaurant, in this location, in January 2017, application #4754.

Mr. Schiller summarized the staff report stating that the business is a well-known restaurant that has previously operated with an alcohol permit and that the Commission has no objections to the granting of this special exception with the provision that there is no bar seating and the service is limited to beer and wine served in conjunction with meals.

**ACTION:** A motion to approve the staff report was made by Commissioner Bray and seconded by Commissioner White. Motion was passed by unanimous vote.

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**APPLICATION:** #4879  
**APPLICANT:** Earl Dubree  
**ADDRESS:** 189 Newington Avenue  
**ZONE:** T, Two-Family

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The applicant is requesting a variance to Section 230-100-10, schedule of permitted fences, in order to install a 6-foot chain link fence around his property located on the southwest corner of Newington Avenue and Wildwood Street. The property is the site of a small industrial operation, Recor Rust Prevention, which is a nonconforming business use, situated in the T, two-family zoning district.

Mr. Schiller summarized the favorable staff report stating that the Commission recognizes the need for this business to have a reasonable level of security and understands the concern that a 4-foot height is inadequate. Recognizing that there are other properties with existing fencing 6 foot in height along the street fronts in close proximity to this property, it would appear that this fence would not be out-of-character or have a substantially adverse effect on the appearance of the area, particularly if it is painted black, as proposed. Taking into consideration the circumstances of this property, the Commission has no objections to the granting of this variance with the stipulation that the fence be painted black, wherever it borders Newington Avenue or Wildwood Street.

**ACTION:** A motion to approve the favorable staff report was made by Commissioner White and seconded by Commissioner Wasley. Motion was passed by unanimous vote.

### 7. Staff Report

There was no staff report.

### 8. Other Matters

Chairperson Eileen Gorzyca opened the floor regarding a question that was brought up about the start time of future meetings. After a discussion, the start time of 6:30pm remains.

### 9. Adjournment

**ACTION:** There being no further business to come before the Commission, Commissioner White made a motion to adjourn, seconded by Commissioner Palmisano, and passed unanimously at 7:11 p.m.

Respectfully submitted,

Subject to Approval:



Danielle Rosado, Administrative Assistant





# CITY OF NEW BRITAIN

CITY PLAN

CHAIRPERSON EILEEN GORCZYCA

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EST. 1871

## REPORT TO THE CITY PLAN COMMISSION

### KENNEDY ESTATES SUBDIVISION

(S-199)

#### EXTENSION OF APPROVAL

This is a request for an extension of approval for the Kennedy Estates Subdivision (S-199) which was originally approved by the City Plan Commission in August 2007 and formally recorded on the land records on February 2, 2008. A downturn in the economy prevented the subdivision from being constructed then and it subsequently languished and changed ownership twice. In early 2019 it was purchased by the City for development as labor force housing. It was subsequently found that costs and market conditions make it cost prohibitive for the City to undertake the project and a prospective private developer is interested in purchase.

Under normal circumstances a subdivision approval expires 5 years after its filing, if all works is not completed or bonded for. This is complicated by that fact that the property appears to have been transferred as individual lots rather than a single parcel and that subsection 8-26c (e) of state statutes allows up to 9 additional years for subdivisions granted within certain time frames and allow an extension granted by the Commission of up to a total of up to 14 years. The City's Corporation Counsel's office is now researching as to whether the subdivision is expired and whether the Commission can approve the requested extension. We will presumably have a ruling in time for the Commission's meeting.

The subdivision would consist of seven (7) conforming T zone building lots, three (3) fronting on South Street and the other four (4) lots would at the end of the Kennedy Drive cul-de-sac, altogether totaling approximately 1.4 acres, inclusive of the extended and revised Kennedy Drive cul-de-sac.

**APPLICATION:** #4880 and #4881  
**APPLICANT:** Atty. Michael Carrier for The Jerome Home  
**ADDRESS:** 975 Corbin Avenue  
**ZONE:** T, Two-Family

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**BACKGROUND:** The applicant is requesting a modification to variance #4857 regarding front yard parking and to special exception #4858 allowing Jerome Home's planned expansion for assisted memory care units. Following these approvals in October of 2019, more detailed design work was done and discovered that a fairly substantive change to the planned layout was necessary. In making their rulings, the Zoning Board of Appeals relies heavily upon the plans presented to them at their hearings to judge the consistency of the proposed development with the intent of the zoning ordinances and its compatibility with the surrounding neighborhood. Accordingly, any time there is a significant change made to the plans presented to the board, staff will refer the revised plans back to the board to ensure that the board is satisfied that development, as modified, still meets their criteria for approval.

The Jerome Home property is zoned T, Two-Family. It is 7.62 acres in area located at 975 Corbin Avenue and encompassing approximately 120,000 square feet in the facilities of the Jerome Home and Arbor Rose facilities. The subject site also encompasses the former residential properties at 18, 22, 28, 30, 38 and 42 Hamilton Street; and 117, 123, 129 and 133 Black Rock Avenue which have now been merged into a single parcel at 975 Corbin Avenue.

**FINDINGS:** On October 17, 2019, the Zoning Board of Appeals granted special exception #4858 to allow a 19,000 square foot expansion of the Jerome Home and, simultaneously variance #4857 permitting several of the new parking spaces to extend into the required front yard setback on Hamilton Street. Subsequent to the approval and following more detailed engineering design and storm drainage analysis, it was determined that cost prohibitive to install an underground storm water detention system, as originally planned.

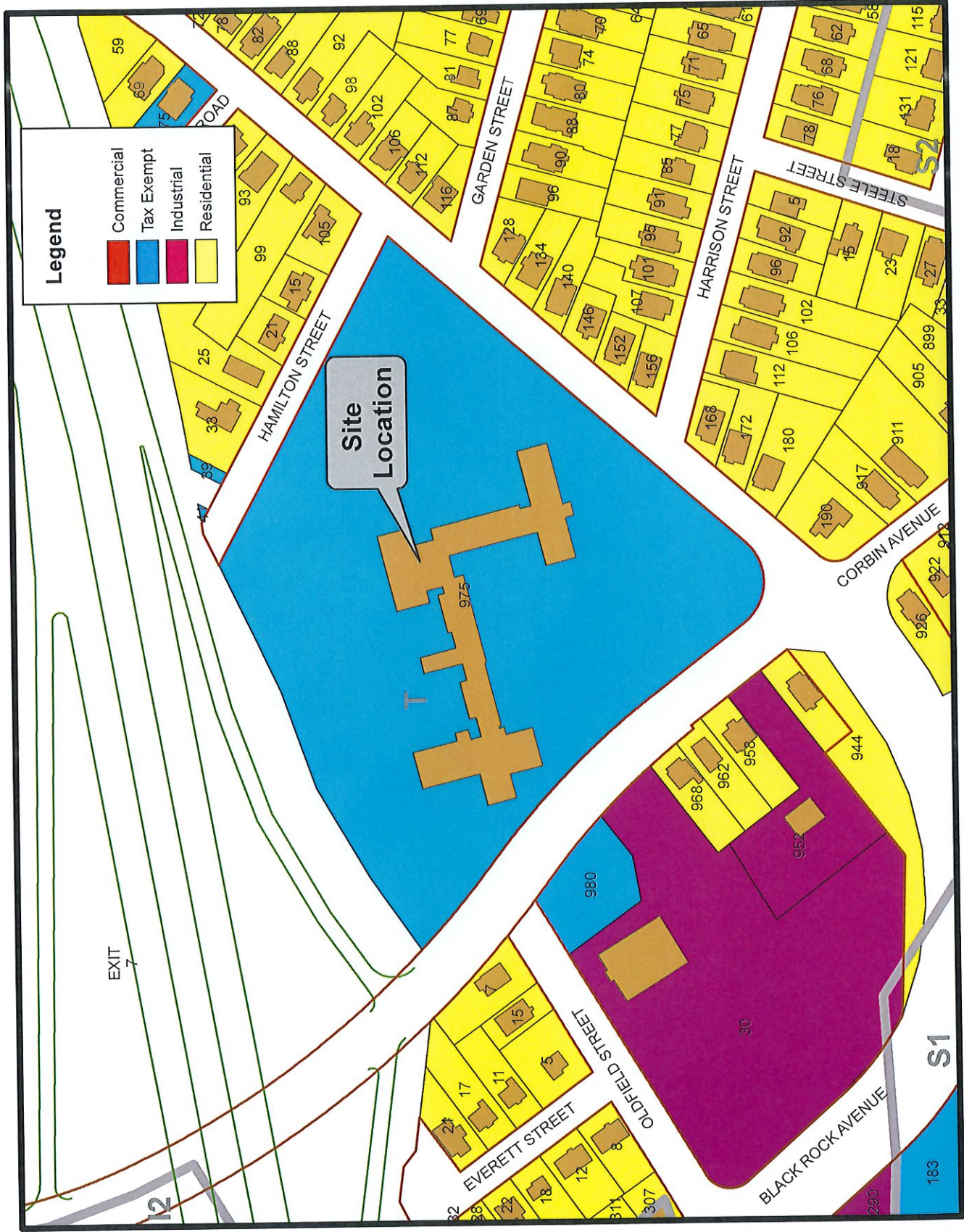
The site plan was redrawn to reconfigure the new parking area at the corner of Black Rock Avenue and Hamilton Street, removing the underground storage system and replacing it with a 20 foot wide by 220 foot long landscaped detention basin. The modification also reduces the number of parking spaces that would have otherwise been added to the site. Our standard off-street parking requirement for a convalescent or rest home is off-street parking be provided at the rate of one (1) space per every two (2) beds, plus one (1) space per every two (2) employees on the largest shift. The total off-street parking required for the entire facility, including the proposed



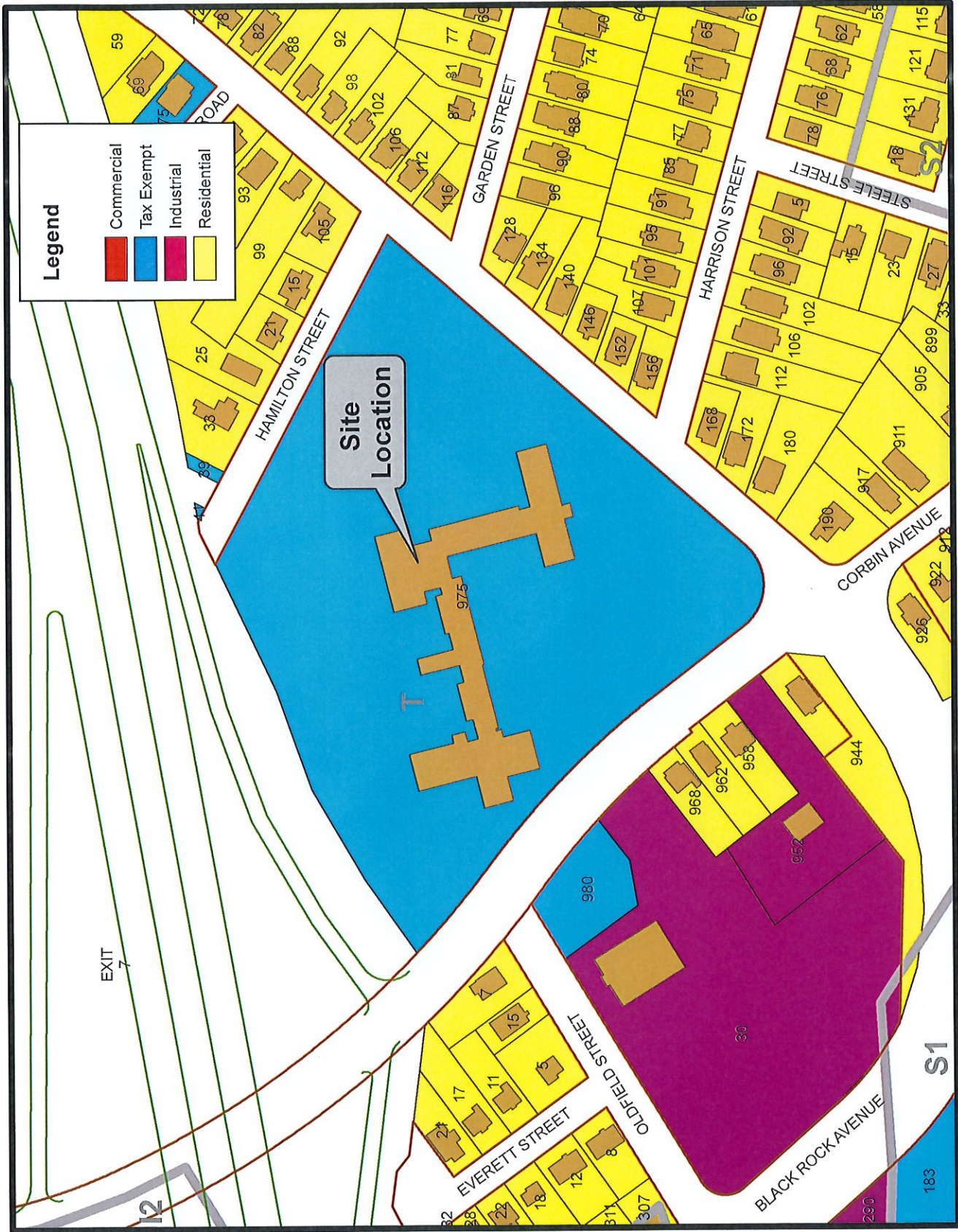
20 unit memory care addition, would be 186 spaces. The previous plan exceeded the requirement with a total of 206 spaces. The current proposed plan shows 187 spaces, compliant with the parking requirement, but 19 spaces fewer than shown in the previous plan.

**CONCLUSION:** Even with the proposed changes the facilities would remain in compliance with applicable standards for a special exception convalescent home in the T zoning district. As discussed above, the increase in the number of units and the small staff increase would be accommodated even with the reduction in proposed parking spaces. The parking lot changes made to allow the detention pond move the parked vehicles further back from Black Rock Avenue and the revised landscaping plan, especially plantings in and around the detention basin would improve the appearance of the property relative to the previous plan and benefit the surrounding neighborhood.

**RECOMMENDATION:** With the prior approval, the City Plan Commission noted the need for this type of memory care accommodations in the community and felt the addition was in conformity with the applicable special exception standards. The Commission is of the opinion that these changes are relatively minor; that the parking as revised, remains in compliance with the City's standards and the added landscaping will enhance the appearance of the site. The commission therefore recommends approval of these requested for the modifications for both the special exception #4881 and variance #4880.







**City of New Britain**

Department of Public Works  
Director - Mark E. Moriarty P.E.

**975 Corbin Ave  
Application # 4881**

Date : April 23, 2020  
Drawn By : CTL  
Checked By : SPS/DR

**APPLICATION:** #4882  
**APPLICANT:** Timothy T. Stewart for Karol Kurkowski  
**ADDRESS:** 20 Belmont Street  
**ZONE:** S-2, Single-Family

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**BACKGROUND:** The applicant is requesting variances to Sections 70-40-10, minimum lot area and 70-40-50, minimum lot width, in order to subdivide a 200 foot wide 27,000 square foot parcel into four 50 foot wide, 6,750 square foot building lots. The property is located on the southern side of Belmont Street near the corner of Corbin Avenue and is zoned S-2, Single-Family. The property currently has a single-family house situated on it, approximately 61 feet from the eastern property line. The intent of this variance would be to allow the parcel to be subdivided into four lots, one containing the existing house and two new building lots to the west of it and another lot on the east side.

**FINDINGS:** The applicant indicates that this land originally comprised of four building lots formerly laid out in a subdivision dating back to around 1916. The existing house was built around 1920, but the three adjoining lots were held as vacant land and merged in deed at some point. Applying the S-2 zoning standards after the majority of the other properties on the street were developed as 50 foot wide 6,750 square foot lots is not reasonable and would give an inconsistent appearance to the street. The S-2 zoning district requires a minimum lot width of 75 feet and a minimum lot area of 8,000 square feet. Like most of the surrounding properties on the street the resulting lots would be 50 feet in width, 135 feet in depth and approximately 6,750 square feet in area.

The three proposed 50-foot wide lots are relatively flat and well-suited to development of a modest-sized, single-family house consistent with most of the surrounding neighborhood. The applicants' plans show that the new 50 foot wide building lots would meet the S-2 zone's minimum required 35 foot front yard setback, the minimum 25 foot rear setback and the minimum 7 foot and 10 foot side yard setbacks. The resulting buildable foot print area on each lot would be 33 feet wide by 75 feet in depth, which is more than adequate for a modest-sized house and generally consistent with the other neighboring homes.

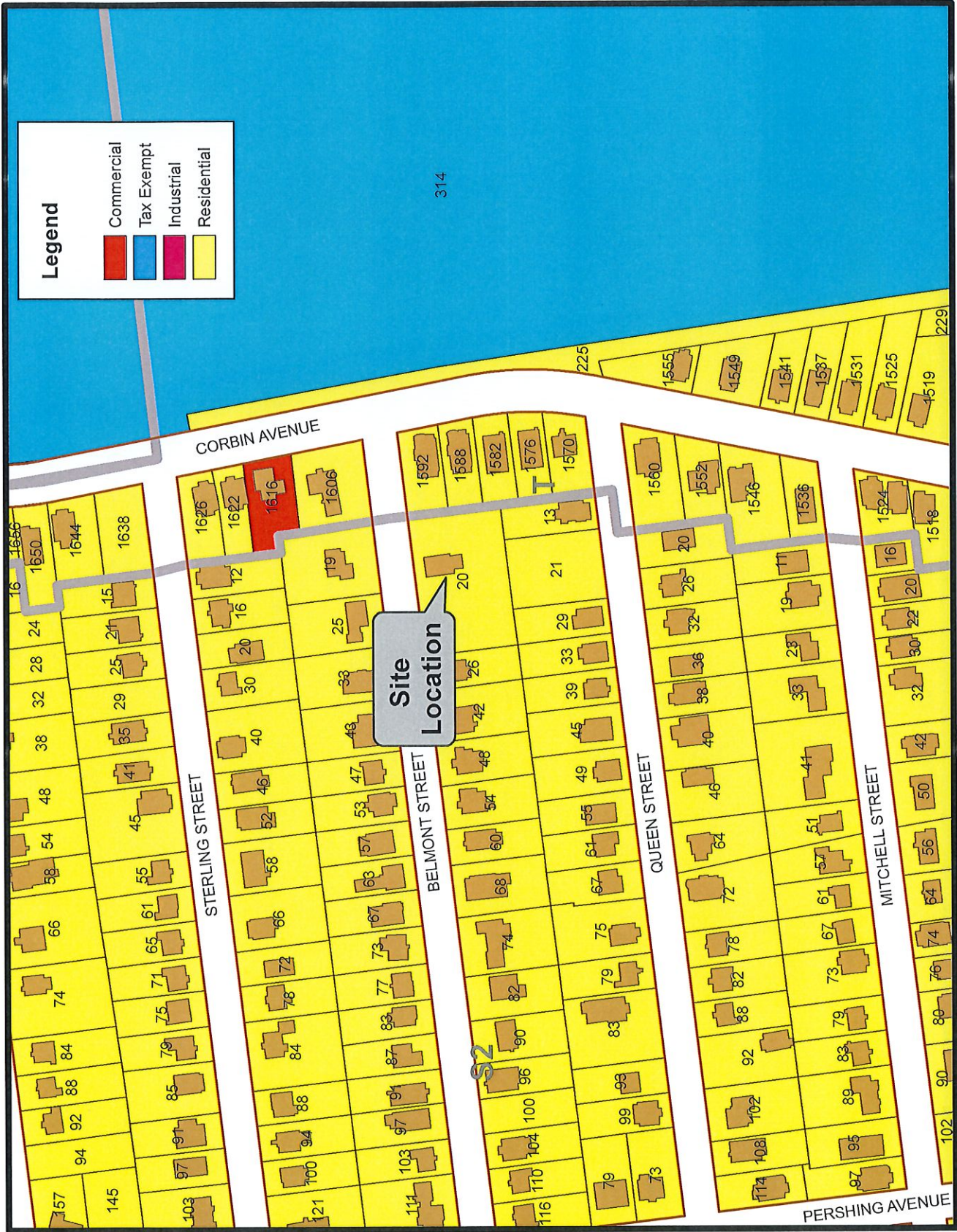
**CONCLUSION:** A majority of the developed residential properties in the surrounding neighborhood are 50 feet in width and 6,750 square feet in area. The proposed development and use of these two proposed lots parcel within the confines of the S-2 yard setback requirements would appear to be consistent in character and compatible with the rest of the neighborhood.

**RECOMMENDATION:** The City Plan Commission notes that the re-establishment of lots from old subdivisions has generally been viewed favorably, provided they are single-family houses, consistent in character with the surrounding neighborhood, and meet all current yard setback requirements. In this case, a majority of the other properties on Belmont Street are 50 feet in width and 6,750 square feet in area. The Commission, therefore, has no objections to the granting of these variances, provided that, as a condition of approval, it is agreed that the property will be utilized only for the construction of a single-family house and the applicant will proceed with the appropriate subdivision approval process through the City Plan Commission.





200 100 0 200 Feet



**City of New Britain**

Department of Public Works  
Director - Mark E. Moriarty P.E.

**20 Belmont St  
Application # 4882**

Date : April 23, 2020  
Drawn By : CTL  
Checked By : SPS/DR