



CITY OF NEW BRITAIN

CITY PLAN

EST. 1871

CHAIRPERSON EILEEN GORCZYCA

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MEETING NOTICE

CITY PLAN COMMISSION REGULAR MEETING

MONDAY * JULY 12, 2021 * 6:30 P.M.

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

COMMISSION MEMBERS

Eileen Gorczyca
G. Geoffrey Bray
Craig DiAngelo

Mary-Jean Wasley
Homer White

Agenda

1. Call to Order and Roll Call
2. Public Comments
3. Minutes of May 3, 2021 – Regular Meeting
4. Minutes of June 7, 2021 – Special Meeting
5. Modification of Approved Subdivision Plan S-199 Kennedy Drive
6. Zoning Petition #35474 ARUD Master Plan Modification - 321 Ellis Street
7. Zoning Board of Appeals Items
8. POCD SLR Presentation: Future Land Use and Actions
9. Other Business
10. Staff Report
11. 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
Daniel Salerno

MINUTES: REGULAR MEETING

City Plan Commission
Room 201 – City Hall
27 West Main Street
New Britain, Connecticut
May 3, 2021

Members Present

Eileen Gorczyca, Chairperson
G. Geoffrey Bray, Vice-Chairman
Mary-Jean Wasley

Homer White
Craig DiAngelo

Others Present

Steven P. Schiller, AICP Planner
Danielle Rosado, Administrative Assistant

1. Call to Order and Roll Call:

Chairperson Gorczyca called the meeting to order at 6:32 p.m. A quorum of five (5) members was present upon roll call.

2. Public Comments:

There were no public comments.

3. Minutes of March 1, 2021 – Regular Meeting

ACTION: A motion to accept the Regular Meeting Minutes of March 1, 2021, was made by Commissioner White and seconded by Commissioner DiAngelo. The motion passed by unanimous vote.

4. Subdivision Final Approval S-227 - Keder Subdivision, 334 McClintock Street

The Commission previously reviewed and granted a conditional preliminary approval of this subdivision request to split a second lot from a previously subdivided parcel on the east side of McClintock Street. The engineering department review at the time noted that there were a number of mostly minor technical corrections required to be made and are recommending final approval at this time, contingent upon survey pins being set and the mylar plan being filed in the Town Clerk's Office.

ACTION: A motion to approve the favorable recommendation was made by Commissioner White and seconded by Commissioner DiAngelo. Motion passed by unanimous vote.

MINUTES: REGULAR MEETING

City Plan Commission
Room 201 – City Hall
27 West Main Street
New Britain, Connecticut
May 3, 2021

5. Zoning Board of Appeals Items

APPLICATION: #4914
APPLICANT: Atty. Lawrence S. Shipman for Wheeler Clinic, Inc.
ADDRESS: 40 Hart Street
ZONE: T, Two-Family

The applicant is requesting a variance to Section 250-10, regarding signage, in order to allow a business identification sign on a nonconforming medical building that is located in a T, Two-Family zoning district.

Mr. Schiller summarized the favorable staff report stating that the City Plan Commission is of the opinion that the proposed signage serves a legitimate identification need and that it would not be reasonable to prevent a "grandfathered" business use from having signage that is appropriate to both the building and the use.

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

APPLICATION: #4915
APPLICANT: Jeffrey W. Lawrence
ADDRESS: 91 Huber Street
ZONE: S-3, Single-Family

The applicant is requesting variances to Section 80-40-70.02, minimum required side yard, in order to construct a 15 by 22 foot long carport attached to an existing single family house.

Mr. Schiller summarized the unfavorable staff report stating that while sympathetic to the applicant's desire to add the carport, the City Plan Commission is of the opinion that the 15 foot width is substantially more than needed and that in a residential setting variance allowing construction closer than 5 feet from a side property line should not be encouraged. It is recommended that the applicant consider redesign of the carport, either moving to a conforming location at the rear of the house or at least substantially reducing the width so that the side yard variance would result in a side yard of not less than 5 feet.

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

MINUTES: REGULAR MEETING

City Plan Commission
Room 201 – City Hall
27 West Main Street
New Britain, Connecticut
May 3, 2021

APPLICATION: #4916
APPLICANT: Lisa Ostrout
ADDRESS: 4 Beacon Street
ZONE: S-3, Single-Family

The applicant is requesting a variance to Section 230-120-10, which prohibits placement of a swimming pool within any required minimum yard setback.

Mr. Schiller summarized the favorable staff report stating the City Plan Commission has no objections to the granting of this variance, provided that all required standard safety measures such as appropriate fencing, self-latching gates, pool alarms, etc. are installed and to the satisfaction of the Department of Licenses, Permits and Inspections.

ACTION: A motion to approve the staff report was made by Commissioner White and seconded by Commissioner Gorczyca. The motion passed by 4-1 vote (with Commissioner Bray voting against).

6. NB Code of Ordinances Sec. 19-22; Zoning Ordinances Sec. 40-10-50; Roosevelt School - High Tunnel Greenhouse

This report is prepared in accordance with Section 19-22 of the City Ordinance and Section 40-10-50 of the Zoning Ordinances, which requires that any new use or structure on municipal property be referred to the City Plan Commission for an advisory report to Council. The purpose of this review requirement is to ensure that such actions are consistent with the City's Plan of Conservation and Development and with good municipal planning principles. The subject action being considered is the proposed construction of a "high tunnel" greenhouse over the existing raised bed garden spaces at Roosevelt School.

This structure is required by the USDA funding source and is a relatively minor modification to the existing raised garden beds. Being a temporary construction it would not pose any impediment to any future development or use of the property should the need arise.

Mr. Schiller summarized the report stating the City Plan Commission is of the opinion that this action is a reasonable and desirable addition to an existing educational program and is consistent with the City's Plan of Conservation and Development and good planning practice.

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

MINUTES: REGULAR MEETING

City Plan Commission
Room 201 – City Hall
27 West Main Street
New Britain, Connecticut
May 3, 2021

7. Plan of Conservation & Development (POCD) Survey

The POCD is a policy document that provides a long-term vision for the City and guidance on decision-making related to growth, development and conservation over the next ten years. Mr. Schiller advised that the SLR International Corporation consultant has distributed a questionnaire survey to various boards/commissions. It is in the initial data and information gathering phase of the planning process and they are seeking to understand the board/commission's views on the key planning, conservation and development issues facing New Britain. They want to learn about major accomplishments in these areas over the past decade, as well as ongoing goals and objectives for the next ten years.

Commissioner Mary-Jean Wasley left the meeting at 7:28pm.

8. Other Matters

There were no other matters to report.

9. Adjournment

ACTION: There being no further business to come before the Commission, Commissioner White made a motion to adjourn, seconded by Commissioner DiAngelo, and passed unanimously at 7:41 p.m.

Respectfully submitted,

Subject to Approval:



Danielle Rosado, Administrative Assistant

MINUTES: SPECIAL MEETING

City Plan Commission
Room 201 – City Hall
27 West Main Street
New Britain, Connecticut
June 7, 2021

Members Present

Eileen Gorczyca, Chairperson
G. Geoffrey Bray, Vice-Chairman
Mary-Jean Wasley

Homer White
Craig DiAngelo

Others Present

Alderman Daniel Salerno, Common Council Liaison
Nicole Bosco, Economic Development Coordinator
Patrick Gallagher, SLR International Corporation
Steven P. Schiller, AICP Planner
Danielle Rosado, Administrative Assistant

1. Call to Order and Roll Call:

Chairperson Gorczyca called the meeting to order at 6:32 p.m. A quorum of five (5) members was present upon roll call.

2. Public Comments:

There were no public comments.

There was a motion to move the Zoning Board of Appeals Items up on the agenda by Commissioner Bray and seconded by Commissioner DiAngelo. The motion passed by unanimous vote.

3. Zoning Board of Appeals Items

APPLICATION:	#4917
APPLICANT:	Eduardo Perez
ADDRESS:	60 East Main Street
ZONE:	CBD, Central Business District

The applicant is requesting a special exception approval pursuant to Section 270-40-40, in order to obtain a grocery beer permit for the recently opened Key Foods Supermarket in the New Brite Plaza.

Mr. Schiller summarized the favorable staff report stating that the City Plan Commission is of the opinion that this proposal meets all restrictions of Section 270-40-40.10 and that grocery beer sales are an expected accessory to nearly any supermarket and are generally an innocuous addition, provided that store and property is well-managed and operates in accordance with all applicable state liquor laws.

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

MINUTES: SPECIAL MEETING

City Plan Commission
Room 201 – City Hall
27 West Main Street
New Britain, Connecticut
June 7, 2021

4. Plan of Conservation & Development (POCD) Update

Patrick Gallagher from SLR International Corporation presented a detailed overview of the process and findings to date. He reviewed the 2010 Plan with the Commission and engaged in an open ended discussion on goals and priorities for the updated Plan. The Mayor and the City Plan Commission is promoting a community workshop to help plan for New Britain's future. The workshop will feature a series of interactive exercises that will identify New Britain's challenges and opportunities in relation to future development, planning procedures, transportation, infrastructure repairs, housing needs and more. The visioning goals will be discussed along with strategies to accomplish them throughout the next decade. The workshop will serve as one of the community engagement components in order to develop recommendations and implementation strategies.

5. Other Matters

There were no other matters to report.

6. Adjournment

ACTION: There being no further business to come before the Commission, Commissioner White made a motion to adjourn, seconded by Commissioner DiAngelo, and passed unanimously at 7:46 p.m.

Respectfully submitted,

Subject to Approval:



Danielle Rosado, Administrative Assistant



CITY OF NEW BRITAIN

CITY PLAN

EST. 1871

CHAIRPERSON EILEEN GORCZYCA

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REPORT TO THE CITY PLAN COMMISSION

KENNEDY ESTATES SUBDIVISION (S-199)

MODIFICATION OF APPROVED PLANS, WAIVER OF SUBDIVISION STANDARDS

This is a request for some relatively minor modifications to the approved plans for the 7-lot Kennedy Estates Subdivision (S-199) which was originally approved by the City Plan Commission in August 2007. After languishing for a number of years, the subdivision was purchased by the City with the intent of developing affordable, owner-occupied housing under one of our HUD funded programs. Due to cost considerations and other logistical issues the City ultimately ended up selling to a private developer. As you recall, the Commission acted back in January of this year to grant an extension to the approved plan of record, prepared by MBA Engineering, dated April 27, 2007 and revised to January 8, 2008, filed in the city land records on February 5, 2008.

The current developer has begun construction and built on the two lots fronting on South Street. He has now begun work on the Kennedy Drive side and is requesting modifications he finds necessary to be able to extend the street and cul-de-sac. The original approved plans remain in place relative to the road, lot layouts and utility easements. Modifications to the proposed grading lessen the amount of existing underground water mains that would have to be replaced and potentially eliminates a retaining wall and a yard drainage structure. The additional change would be to waive the requirement for underground utility lines and allow the electrical and telecom feeds to be run to overhead from a new utility pole situated at the end of the cul-de-sac. Underground utility feeds have been required since around 1988, but they add to the cost and require additional front yard easements being established on the individual properties. In this case the developer points out that the existing 35 homes on Kennedy Drive are served by overhead wires and that added cost would be unreasonable and an undue burden to provide underground service to only four new lots at the end of the cul-de-sac.

Because this is a waiver of a subdivision requirement it needs a super majority vote of the Commission to be granted. The engineering department reviews regarding the proposed grading changes and utility waivers are attached.



CITY OF NEW BRITAIN

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DEPARTMENT OF PUBLIC WORKS

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MEMORANDUM

TO: Steven Schiller, City Planner

FROM: Robert Trottier, City Engineer

DATE: June 2, 2021

RE: Kennedy Estates Subdivision plan revisions – Erik Szyluk applicant –
Plans received 6/1/2021

I have reviewed plans for proposed revisions to the Kennedy Estates Subdivision prepared for Michael Santoro, dated 4/30/2021, revised to 6/1/2021; various scales, sheets 1-3, prepared by Trinkaus Engineering, LLC. The Engineering Department recommends approval with the following conditions:

1. The plans referenced above were reviewed with respect to the proposed change in road grade only, the original approved plans and all notes and conditions still apply.
2. The applicant is responsible for obtaining permission/rights from adjacent property owners to grade, rebuild driveways and any other work which falls outside the existing right of way. The applicant shall notify the city if permission cannot be obtained and changes to the design are required as a result.
3. No building permits will be issued until all public improvements are completed and accepted by the City or a suitable bond is submitted for the same.
4. Water services shall be installed in accordance with section 23-171 of the New Britain Code of Ordinances and coordinated with Chris Polkowski, superintendent of Water/Sewer, prior to installation.
5. All pins and monuments shall be set and certified by a licensed land surveyor prior to acceptance.
6. As-builts to City requirements of the proposed improvements will be required prior to acceptance of the road.
7. Submit a draft copy of the warranty deed and legal description of the proposed road conveyance to the city for review prior to issuance of building permits.
8. Unless waived by the commission, all utilities are required to be underground, remove the proposed pole and overhead wires from the plan and coordinate with existing utility companies for additional requirements.
9. All utility service laterals shall be installed to the streetline.
10. All roof leaders shall discharge to grade; all footing drains shall be connected to the proposed storm system.

11. The area of existing cul-de-sac removal shall be graded to drain toward the proposed road.
12. Curbing shall run straight across all existing and proposed driveway openings and tapered to a 1" reveal across the openings. The applicant is responsible for determining the driveway locations for the proposed lots.

CC: Chris Polkowski, Utility Division Superintendent
Dave Zajac, Building Inspector/Zoning Enforcement Officer
Scott Wadowski, Building Official



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CHAIRPERSON EILEEN GORCZYCA

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Report of the City Plan Commission

ZONE CHANGE PETITION #35474

[A requested modification to the adopted ARUD Master Plan for property at 321 Ellis Street.]

The City Plan Commission, at its regular meeting held on July 12, 2021, voted to to recommend that this requested modification to the 321 Ellis Street ARUD zone be approved.

BACKGROUND: The ARUD zone is a zoning classification added to the City's zoning ordinance in October 2014 by Petition #32840, for the purposes of facilitating the rehabilitation and adaptive reuse of the former Harris Building at 321 Ellis Street. The ARUD zone is a "floating zone", a unique type of zoning approach in which the zoning text lays out the general base standards for development, including general types of permissible uses, residential densities, yard setbacks, height restrictions, etc., but specific zoning controls are not put into effect until such time as the property owner or prospective developer puts together a detailed "Master Plan" for the zone change area, showing all proposed uses, building locations, number and types of residential units, parking arrangements, etc. The Master Plan and the ARUD zone change are then simultaneously adopted with the Master Plan, in effect, becoming very precise and specific zoning regulations for the site and the development being held very rigidly to the design laid out in the Master Plan.

The ARUD zone change and Master Plan for "Ellis Commons", were subsequently adopted in May 2015, petition #33123. The adopted Master Plan encompassed the entire 10.17 acre site, with the five-story, 250,000 square foot brick and masonry factory building proposed for conversion into 169 residential units, consisting of a total of 45 studio units, 106 one-bedroom units and 16 two-bedroom units and anticipated to be marketed for condominium ownerships. At that time, there was a Phase II proposal planned for the southerly portion of the site for new construction of a 20-story, 140-unit residential tower. Despite being the considerable time and effort being put into the designing project and getting the ARUD zoning and Master Plan adopted, the development was ultimately was not undertaken. After several years of remaining dormant, a new potential developer has expressed interest in undertaking the project. The new developer however would like to modify the plan somewhat feeling that it would make the project more feasible and better meet market demands. The proposed changes would include a change in the mix of units to a total of 154 units consisting of 78 one bedroom units and 76 units of two or three bedrooms. The former Phase II portion of the property, approximately 3.3 acres in area is being proposed to be either split off or developed separately from this project. Regardless of being split of or held for future development, the southerly parcel would remain ARUD zoned, at this time and any type of development would require either a zone change or a separate new ARUD Master Plan.

PLANNING AND CONSIDERATIONS: The neighborhood surrounding the proposed zone change area consists of mostly residential properties, with the exception of the business tenants on the north side of the street at 322 Ellis Street, the Downe's Construction Company offices and storage yard at 200 Stanley Street and Rembis Provisions, an auto repair shop and the Bethesda Apostolic Church on the eastern side of Stanley Street.

The ARUD overlay zoning was developed recognizing the fact that many of the city's older, mill-style buildings, were constructed nearly 100 years ago and are now obsolete and no longer suited for modern manufacturing purposes. The buildings are, however, structurally sound, architecturally and historically important to the character of the community and readily adaptable to other valuable uses. This particular building has been substantially vacant or underutilized for many years. At the time of the original ARUD Master Plan in 2015, it was acknowledged that the proposal for re-habilitation and adaptive re-use for housing was probably the most economically viable use of the property and that the plan consistent with the City's Plan of Conservation and Development recommended policies for developing newer, higher quality, market-rate, rental housing, situated in strategic locations, accessible to transit, and serving the needs of a younger, more mobile labor force. These conclusions essentially remain the same for the newly proposed project, with the exception that presently there is probably greater demand for this type of housing. The modifications proposed to the Master Plan are relatively minor and the plan remains consistent with our Plan of Conservation and Development goals and policies and compatible to the surrounding neighborhood. The modifications, in some regards, present improvements over the original Master Plan, resulting in fewer units, slight reduction in peak hour traffic generation and potentially increased buffering and landscaping along the adjoining residential properties on Stanley Street.

The current developer has submitted a revised traffic impact study that indicates that the project would add approximately 52 vehicles to the AM peak hour traffic and 67 vehicles to the PM peak, which could be accommodated on the existing street network, with minimal impact, maintaining acceptable levels-of-service at all surrounding intersections. More than half of the traffic generated would be westward of the site on Ellis Street, accessing the Route 9 on and off-ramps. The peak hour traffic increase of this proposal would be substantially less than full occupancy of the building for some office or manufacturing use which might potentially have more than 600 or more employees entering or exiting the site at peak hours. The property is also served by a local bus route with a nearby stop on Stanley Street and is within a one mile walking or biking distance of the downtown and to both the Main Street and East Main Street CTfastrak stations.

RECOMMENDATION: The City Plan Commission is of the opinion that the requested modifications to the 321 Ellis Street ARUD Master Plan is consistent with the goals and policies of the City's Plan of Conservation and Development; that it would meet an identified need for new, market-rate, workforce housing; it would expand the city's tax base; and it would be compatible with the surrounding residential neighborhood. The project would improve the visual appearance of the property and help to preserve a historical and architecturally significant building. The residential re-use proposed, would also provide an added population base with disposable income to help support restaurants and businesses in the downtown area and elsewhere in the city and would have negligible impact on area traffic.

For these reasons, the City Plan Commission recommends the adoption of the requested modifications to the 321 Ellis Street ARUD Master Plan, as presented.

Eileen Gorczyca , Chairperson
City Plan Commission



City of New Britain

DEPARTMENT OF PUBLIC WORKS

*"New Britain:
A City for
All People"*

Tel (860) 826-3350

27 West Main Street, New Britain, CT 06051

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MEMORANDUM

TO: Sergio Lupo, Director of Building Department

FROM: Chris Polkowski, Engineering Project Manager

DATE: May 29, 2015

RE: Conceptual Plan Review for Zoning – 321 Ellis Street –Transmittal
5/6/2015

I have reviewed a "Conceptual Plan for Ellis Street Commons 321 Ellis Street New Britain CT", plan dated 4/3/15, plan prepared by Partners for Architecture of Stamford, CT. The Engineering Department recommends **APPROVAL** of the referenced application with the following conditions:

1. Full Official Site Plan Review shall be done, if Conceptual Plan for Zoning is approved.
2. Conceptual Plans shall be developed into detailed construction plans. These plans shall include:
 - a. Pre and Post Stormwater calculations for a 10-Year Storm event
 - b. Soil Erosion and Sedimentation Control Plan
 - c. Lighting Plan
 - d. Subsurface Geotechnical investigation
 - e. Detailed Utility Plan
 - f. Plan showing turning radii of delivery trucks, fire trucks, ladder trucks, etc.
 - g. Dedicated water lateral for fire suppression along with possibly additional fire hydrants on-site
 - h. Sight distances for both directions at both entrances/exits for vehicles exiting and entering the property
 - i. A review of the Site Plan Application Checklist
 - j. Municipal review comments
3. Plans shall be forwarded to OSTA for an Administrative Decision Request along with a possible Traffic Assessment Determination.

CC: Steve Schiller, DMD
Dave Zajac, Building Official

APPLICATION: #4918
APPLICANT: Tracy Becker for Sign Pro Inc.
ADDRESS: 100 Richard Street (aka 57 Fern Street)
ZONE: A-1, Garden Apartments

BACKGROUND: The applicant is requesting sign variances to Section 250-20.10.20 which limits announcement signage in residential zones to not more than 6 square feet in total sign area and to Section 250-20.10.40 which allows such signage to have indirect lighting only. The applicant is proposing a sign that would consist of letters mounted on the front wall of the entrance of the building and serving to identify the NB Center of Excellence facility. The facility is located on the north side of the Mount Pleasant Housing property and accessed from the south end of Fern Street. The building is identified individually as 57 Fern Street and is zoned A-1 Garden Apartments.

FINDINGS: The NB Center of Excellence is a relatively new facility built in 2014 on NB Housing Authority property with a mission of providing educational, vocational and wellness services to the City's underprivileged. As previously noted, announcement signage in residential zones such as the A1 district are not allowed to exceed 6 square feet in size, and are supposed to be lit only by an indirect source. The applicant's submitted plans show individual mounted letters, acrylic faced and internally lit, along with a "Center of Excellence" medallion symbol, all mounted on the main entrance wall occupying a total of 23 or more square feet. The applicant claims that the signage is necessary to adequately identify the facility and that it would be appropriate and compatible to the modern architecture of the building. They further point out that this is an isolated part of the property situated further away from any of the residential apartment buildings and that it faces the Fern Street entrance, toward the HRA facility parking lot.

CONCLUSION: Given the location and the character of the facility that the sign identifies, the size and lighting would not appear to be out of place or incompatible with the remainder of the property or neighborhood.

RECOMMENDATION: The City Plan Commission is of the opinion that the proposed signage serves a legitimate identification need and that it would be attractive and suited to the character of the building. The Commission therefore has no objections to the granting of these requested variances.



Date : July 1, 2021
Drawn By : CTL
Checked By : SPS/DR

100 Richard Street
Application # 4918



APPLICATION: #4919
APPLICANT: Daniel Papapietro and Margaret E. Wilson
ADDRESS: 66 Forest Street
ZONE: S-2, Single-Family

BACKGROUND: The applicant is requesting variances to Section 40-20-10 through 40-20-30 regarding the application of dimensional regulations for lot coverage and yard setbacks, especially as it relates to existing nonconforming structures. The applicants would like to reconstruct and enlarge a small porch to create a first floor bathroom space. The house is situated on the southeast corner of Forest and Woodbine Street and is zoned S-2, single-family. This is essentially a variance to Section 70-40-40, maximum permissible lot coverage, allowing a minor increase in the degree of the existing nonconformity.

FINDINGS: The property is 8,320 square feet in area, conforming to the S-2 zone's 8,000 square foot minimum standard. The house with its porches and garage structure currently occupy approximately 2,398 square feet or approximately 28.8% of the total lot area. In the S-2 zone, Section 70-40-40 allows a maximum coverage of 25%, so at present the home is legally nonconforming. As proposed the reconstruction and expansion of the eastern side porch toward the garage, would add only about 52 square feet of additional coverage, resulting in a lot coverage factor of 29.4%.

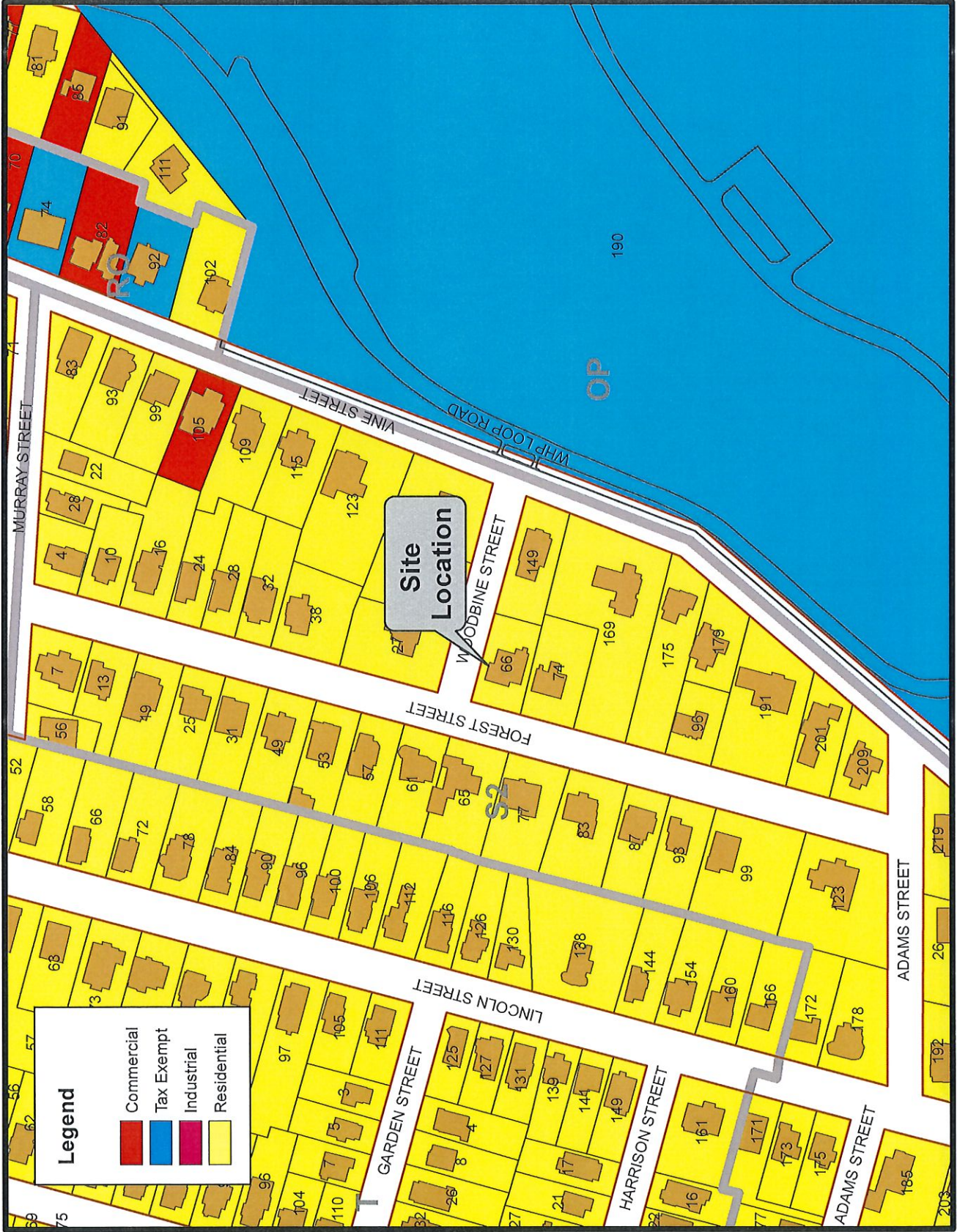
The applicant's hardship claims relate to the fact that the house was built in 1911, prior to adoption of zoning, with the current nonconforming lot coverage existing from the start. Secondly, the home was built without a first floor bathroom which is a feature that is common accessory in a modern home and contributes a great deal to the convenience and livability of home. The applicant was already granted approval and a Certificate of Suitability from the City's Historic Preservation Commission, with the Commission finding the proposed reconstruction and addition to be consistent and compatible to the structure and to the surrounding neighborhood.

CONCLUSION: The City Plan Commission is generally supportive of homeowners investing and making these types of improvements to their properties, particularly where such effort is taken to ensure architectural consistency and ensure the most minimal deviation from the zoning standards. In this case the minor increase in lot coverage is so minor as to be almost indiscernible from existing conditions and would not negatively affect the appearance of the property, encroach into any required yard setback or adversely affect any neighboring property line.

RECOMMENDATION: For the reasons stated above, the City Plan Commission has no objections to the granting of this variance as requested.



200 100 0 100 200 Feet



Date : July 1, 2021
Drawn By : CTL
Checked By : SPS/DR

66 Forest Street
Application # 4919

City of New Britain
Department of Public Works
Director - Mark E. Moriarty P.E.



APPLICATION: #4920
APPLICANT: Christine Prendergast
ADDRESS: 228 Corbin Avenue
ZONE: S-2, Single-Family

BACKGROUND: The applicant is requesting a variance to Section 230-120-10, which prohibits placement of a swimming pool within any required minimum yard setback. The subject property is located on the south side of Corbin Avenue, between Dover Road and Lakeview Avenue and is zoned S-2, Single-Family. The applicant would like to install a 12 by 24 foot diameter above-ground pool in the rear yard of the property, situated near the garage and encroaching into the minimum required 25-foot setback.

FINDINGS: The subject property is fairly large, over 22,000 square feet in area with the single-family house situated toward the front and western side of the lot and the two car detached garage located to the rear of the house. The eastern half of the property is expansive and nicely landscaped. The applicant would like to situate a 12 by 24 foot pool alongside the garage, encroaching with 6 feet of the rear lot line to the south.

The applicant claims that this location would be best, in that pool would be largely shielded from view by the house and garage and would preserve the aesthetic quality of the property and the landscaping.

CONCLUSION: The purpose of the residential rear yard requirements is to ensure a reasonable setback of structures and activities from neighboring yards and adequate open green space to preserve privacy and residential character. This type of variance to allow pools located within the rear yard setback is usually found to be innocuous and approval is often granted, provided the pool is at least some reasonable distance from the neighbor's property line, typically 10 feet or more and, in most cases, the Board notes a real physical hardship in the yard being so small that even a modest sized pool could not be accommodated with encroaching into a yard. In this case there is more than sufficient space to fit the pool without encroaching into the rear yard setback.

RECOMMENDATION: The City Plan Commission is opposed to the granting of this variance, noting that the site poses no real inherent hardship and that the pool can be reasonably accommodated, fenced and screened with landscaping in the vicinity of the garage without needing to encroach so closely to the rear lot line.



Date : July 1, 2021
 Drawn By : CTL
 Checked By : SPS/DR

228 Corbin Avenue
Application # 4920



City of New Britain
Department of Public Works
Director - Mark E. Moriarty P.E.

APPLICATION: #4921
APPLICANT: John Geragosian
ADDRESS: 380 West Main Street
ZONE: B-1, Neighborhood Business

BACKGROUND: The applicant is requesting a variance to Section 140-10 permitted uses, in order to return an office space in a historic house to residential use. The subject property is located on the southern side of West Main Street between Vine and Liberty Streets and is zoned B-1, Neighborhood Business.

FINDINGS: The subject building was constructed in 1880 as a residence and is noted in the City's 1992 historic survey as a unique example of Queen Anne-Lakewood Design, potentially eligible for inclusion on the National Register. It was built prior to the City's establishment of zoning and utilized as a home for many years. Subsequently the first floor was converted to first floor office use, with a second floor apartment unit maintained. The office use was also established prior to current zoning and has been maintained for at least 60 years. With the adoption of the 1967 zoning, most properties on this portion of West Main Street were re-zoned to B-1, Neighborhood Business, with the area being seen as a developing business corridor in which the office was a conforming use. The B-1 zoning allows a variety of businesses from restaurants and retail to office but does not allow residential use.

The applicant would now like to re-establish residential use on both floors, noting that the area has changed substantially since the 1967 zoning, that the area's potential as a business strip is diminished and that, despite marketing, there has been essentially no interest in this property for continued office use. The applicant claims that the property has proven not marketable as an office and that allowing conversion to full residential use will allow preservation of the building and would be consistent with the use character of the surrounding neighborhood.

CONCLUSION: Considering the character of the property and the surrounding neighborhood and business area, it does appear that the preservation and conversion of this building into full residential use is reasonable and desirable and would be compatible use for the surrounding properties. The property is large enough, over .61 acres in area and has more than adequate rear yard parking for a two-family house.

RECOMMENDATION: The City Plan Commission notes that the location and character of the building and current market conditions limit potential for any conforming B-1 zone business use and that residential conversion and preservation of this structure would be desirable and compatible with the character of the surrounding neighborhood. The Commission, therefore, has no objections to the granting of this variance.



City of New Britain
Department of Public Works
Director - Mark E. Moriarty P.E.

**380 West Main Street
Application # 4921**

Date : July 1, 2021
Drawn By : CTL
Checked By : SPS/DR

APPLICATION: #4922
APPLICANT: DATTCO, Inc.
ADDRESS: 315 South Street
ZONE: I-2, General Industry

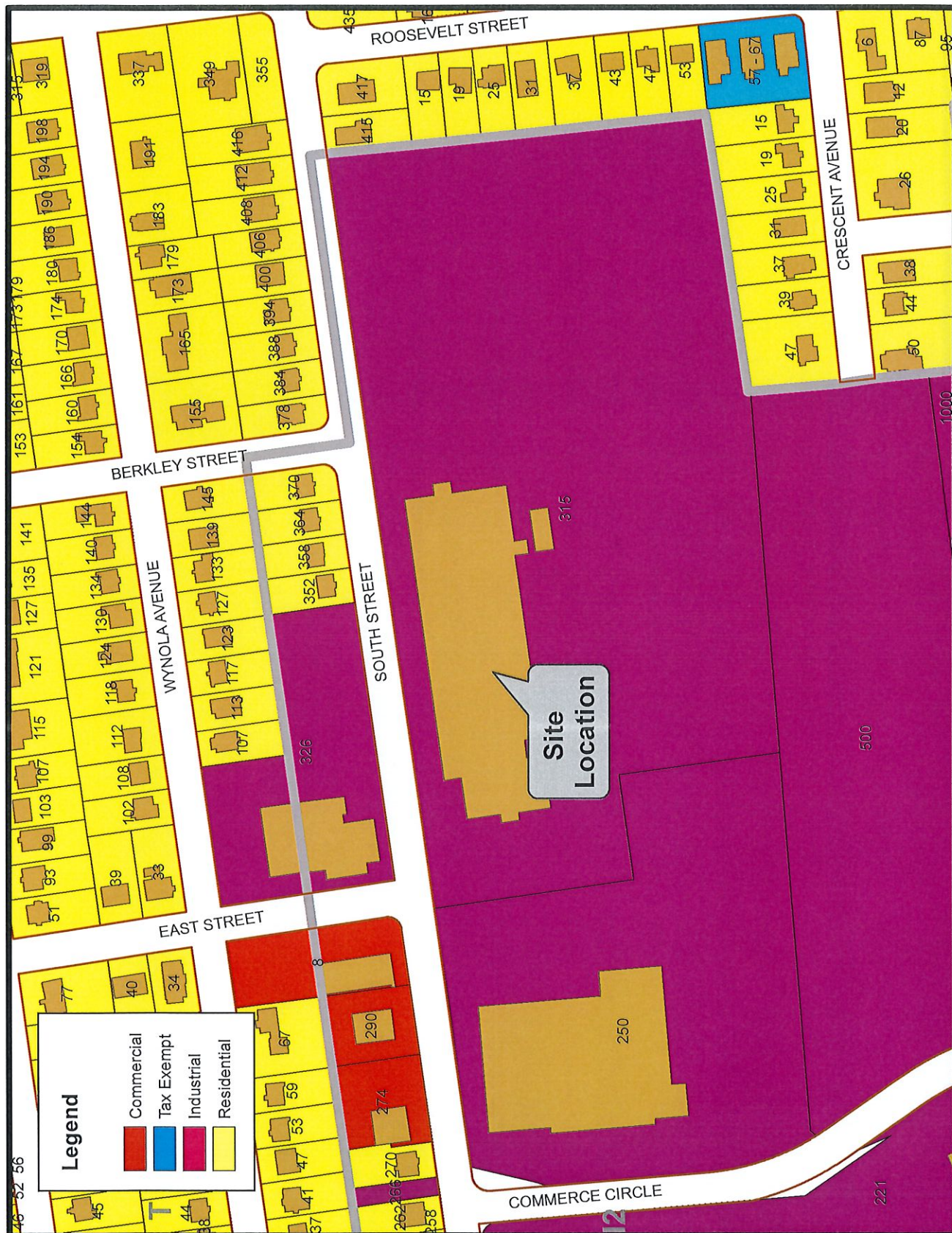
BACKGROUND: The applicant is requesting sign variances to Section 250-30.20.10, maximum size for a detached ground sign and 250-30.20.50, minimum required setback, in order to allow a "monument style" entrance sign at the DATTCO, Inc. bus sales and repair facility situated on South Street. The area is zoned I-2, General Industry.

FINDINGS: The subject property is the former Reflexite factory which has been utilized for DATTCO bus operations for a number of years now. In March 2020 it was granted special exception #4874 allowing issuance of a DMV permit allowing them to sell vehicles and perform repairs and maintenance on vehicles other than their own rolling stock. In order to accommodate that business they have established a second driveway at the eastern end of their building. They would now like to install an identification sign for this driveway directing most outside visitors to this entrance rather than the employee entrance at the western end of the building, across from the East Street intersection. Section 250-30.20.10 allows a maximum sign area of 32 square feet for detached ground signage. This sign is proposed to be approximately 4.5 feet high by 8 feet wide totaling 36 square feet in area and would be setback approximately 10 to 12 feet from the street line, rather than the required 20 feet normally required, per Section 250-30-20.50.

The applicant claims that the slightly oversized signage placed at a 10 foot setback is necessary to ensure good visibility and safely direct vehicles to this primary business entrance for repairs and sales.

CONCLUSION: The proposed signage is not overly large by City standards and seems reasonable in scale to the property and well-suited to provide direction to this primary entrance. The reduced setback for the sign is reasonably justified because there is some front yard parking and other visual obstruction a little further west from the driveway location. The 10 or 12 foot setback proposed appears to leave more than adequate line-of-site for vehicles exiting the driveway onto South Street, which affords a long and straight clearance in front of the building all the way back past the East Street intersection and further.

RECOMMENDATION: The City Plan Commission is of the opinion that the requested variances are reasonable and meet the need of providing optimal identification of this main entrance. The Commission therefore has no objections to the granting of these variances, contingent upon the Engineering approval and verification of safe sightlines.



Date : July 2, 2021
Drawn By : CTL
Checked By : SPS/DR

**315 South Street
Application # 4922**



City of New Britain
Department of Public Works
Director - Mark E. Moriarty P.E.

APPLICATION: #4923
APPLICANT: Judah Thomas for Thrive Revenant Church
ADDRESS: 365 John Downey Drive
ZONE: I-1, Industrial Park

BACKGROUND: The applicant is requesting a special exception, pursuant to Section 190-20-10, in order to allow the operation of a small church in a portion of this I-1, Industrial Park property. The subject property is approximately 1.94 acres in area and occupied by a 20,000 square foot manufacturing building, situated on the eastern side of John Downey Drive, near the intersection of Production Court. The proposed church space shares the building with a successful brewery, the Alvarium Beer Company.

FINDINGS: For many years, churches and other places of worship were not allowed in any industrial zoning district, on the principle that industrial zoned property should be reserved for businesses that create jobs and tax base. This changed with the adoption of a zoning amendment by Council in September of 2012, allowing portions of existing I-1 and I-2 zoned facilities to house places of worship, by special exception and subject to certain size limitations. As adopted, Section 190-20-10 reads:

"As an accessory, secondary use to any conforming I-1 office, business or manufacturing use, up to one-third of the total existing floor space, but not exceeding 5,000 square feet, may be utilized by a church or similar place of worship, subject to meeting all applicable building and fire safety code restrictions and provided adequate off-street parking is available for the place of worship during the hours in which they are normally active." In November 2014, despite the unfavorable recommendation of the City Plan Commission "Greater Harvest Ministries" was permitted to occupy a suite of approximately 4,975 square feet in this building. The current applicant is a different entity, Thrive Revenant Church.

At the time of the Greater Harvest Church approval, the building was partially vacant and somewhat underutilized. Subsequent to Greater Harvest's approval, a craft brewer, the Alvarium Beer Company was approved, allowing brewing and on-site sales under special exception #4732 granted in March 2016. They have since expanded and occupy more than half of the building area.

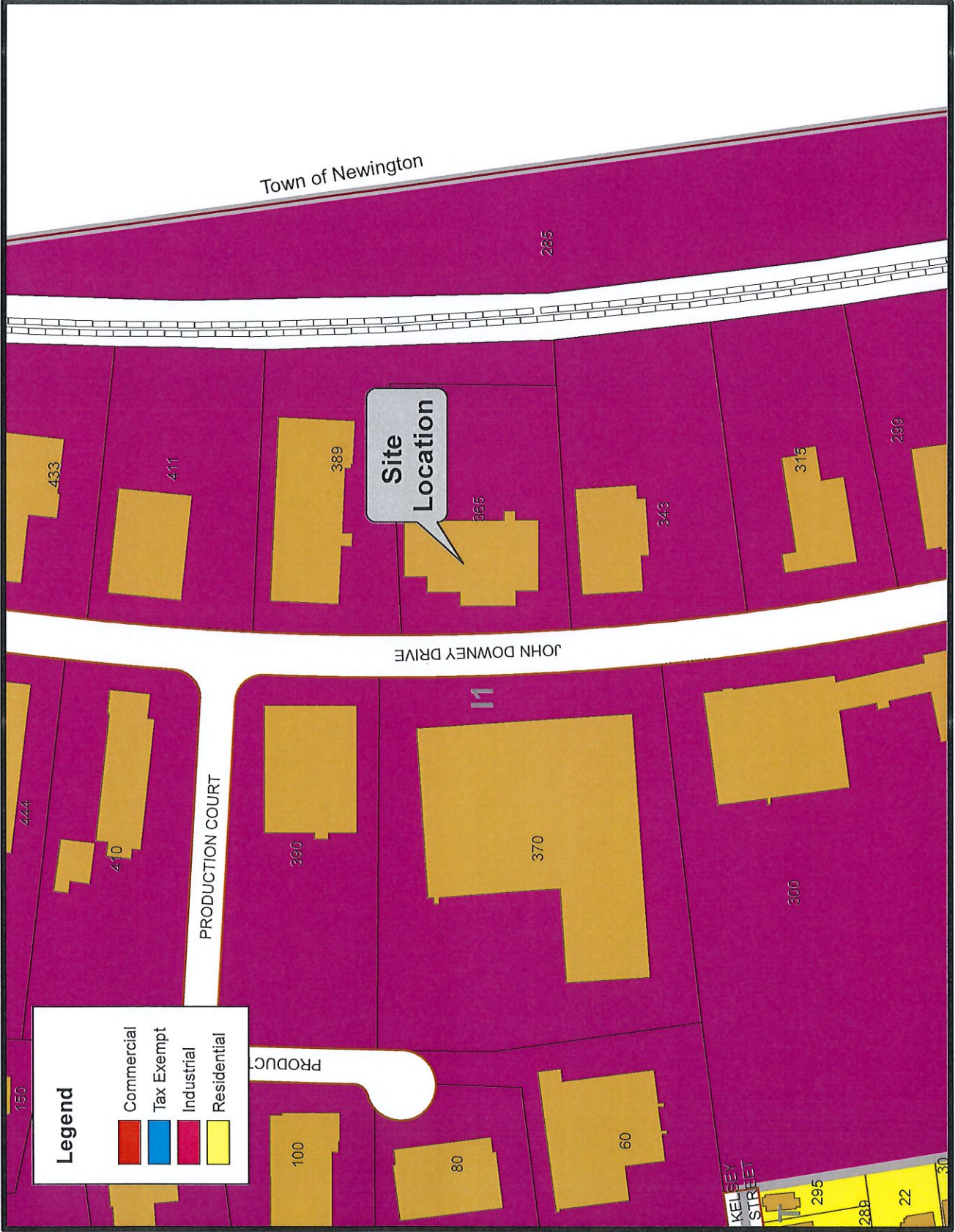
CONCLUSION: Despite a lack of clear floor plans, the applicant's special exception request appears to comply with all applicable provisions under Section 190-20-10 at least in a technical sense. The requested 4,975 square feet of floor area devoted to the place of worship would be less than one-third of the 20,000 square foot building, and the parking spaces available during the hours of worship and church activities would appear to be adequate for a small congregation. The applicant has not specified the size of the congregation, nor proposed hours that services and activities would be conducted.

RECOMMENDATION: The City Plan Commission has long been opposed to allowing industrial or commercially-zoned properties to be used for non-business uses. Notwithstanding the fact that the zoning ordinances were amended to allow places of worship to be permitted by special exception in industrially-zoned locations, the Commission remains opposed, as a matter of principle, and believes that this is not a compatible use for an industrial zoning district and that it would limit the future potential of the property being utilized for a more

appropriate and desirable business purpose. The Commission, therefore, recommends against approval of this special exception.



200 Feet
200 100 0



Date : July 2, 2021
Drawn By : CTL
Checked By : SPS/DR

365 John Downey Drive
Application # 4923

City of New Britain
Department of Public Works
Director - Mark E. Moriarty P.E.



APPLICATION: #4924
APPLICANT: Chassidy Hamilton and Crystal Henry
ADDRESS: 16 Broad Street
ZONE: CBD, Central Business District

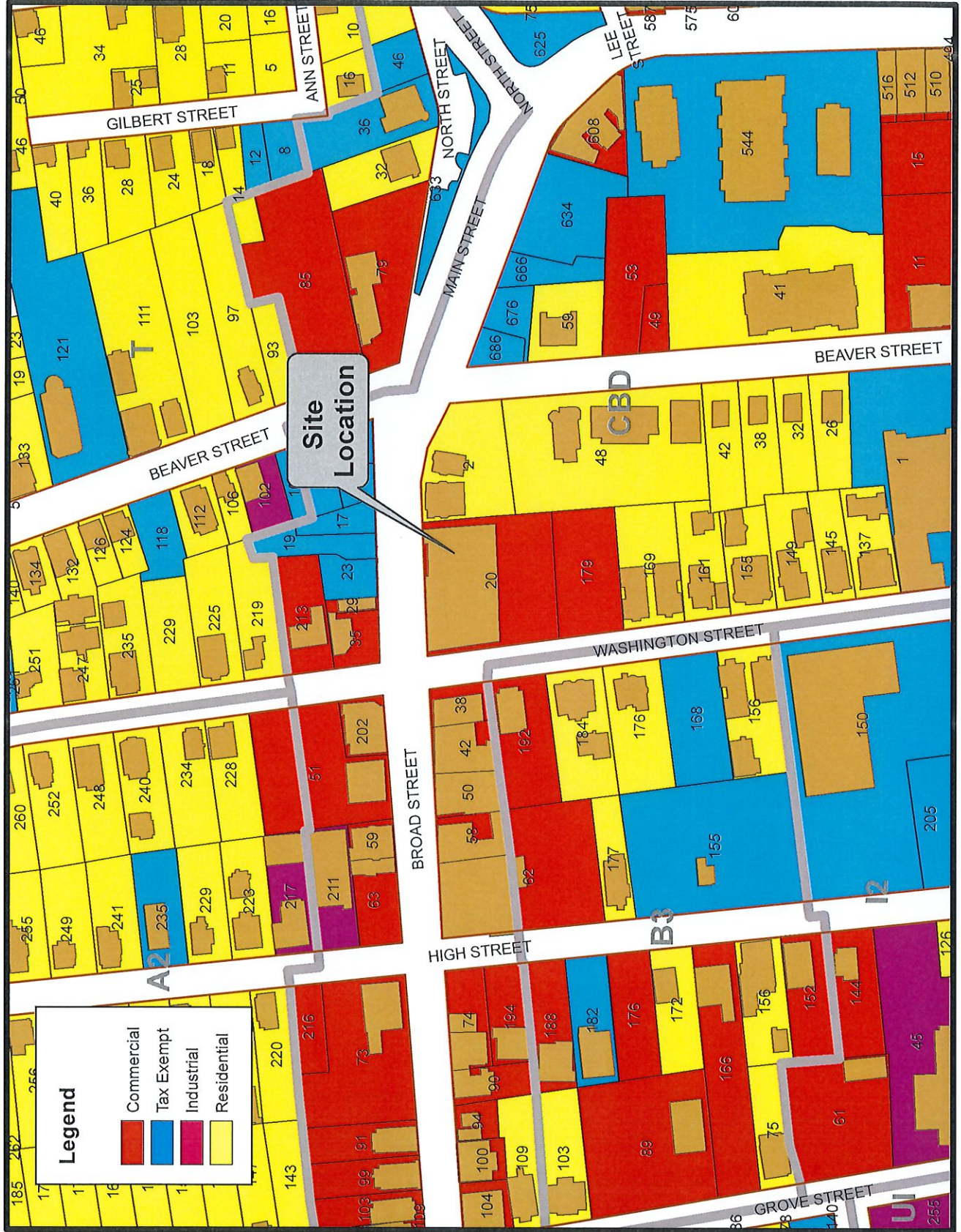
BACKGROUND: The applicants are requesting a variance to Section 170-10, permitted uses, in order to allow a hookah lounge to occupy an existing storefront at 16 Broad Street. Hookah lounges are not specifically addressed in the City's zoning ordinances and there are conflicting interpretations. Section 220-10-970 says "Any use not specified as a permitted use, special exception use, accessory use, permitted home occupation use, or use by temporary permit are prohibited uses...", while the Chief Zoning Official is also given some degree of discretion in deeming a use permissible under a general use category, such as watch or shoe repair falling under a general personal service shop form of business establishment.

FINDINGS: The subject location in this case is the vacant easternmost first floor storefront space in the Polish Falcons' Nest 88 building. The building is located on the southeastern corner of Broad Street and Washington Street and the storefront is one of 10 ground level shop spaces in the building, with the Falcon's Club facilities occupying the second floor of the building. There appear to be at least two other vacant storefronts, but the building is otherwise occupied by several small businesses such as hair and nail salons, a driving school and a pizza restaurant. In addition to the on-street parking in front there is an off-street parking lot to the rear of the building, accessed from Washington Street, which has adequate parking for more than 60 vehicles.

The applicants are essentially pleading a hardship in the City's zoning ordinances not expressly addressing hookah lounges as an individual permitted use. They claim establishments of this sort are becoming more common and offer an added cultural attraction that would complement area restaurants and bars. They indicate that the lounge itself would not serve food or alcohol.

CONCLUSION: Despite community health concerns related to smoking, the impact of this type of business would arguably not be too different from a small restaurant or café, in terms of traffic generation or effect on neighboring businesses. As the applicants suggest it might be a complementary attraction for the area's restaurants and other attractions.

RECOMMENDATION: Recognizing tobacco to be a legal and regulated substance, the City Plan Commission has no objections to the approval of this variance with the strict conditions that the establishment will be permitted not change to include alcohol sales, food service or potentially cannabis, without prior approval of the Zoning Board of Appeals and any other applicable state or local regulating agencies.



City of New Britain
Department of Public Works
Director - Mark E. Moriarty P.E.

16 Broad Street
Application # 4924

Date : July 2, 2021
Drawn By : CTL
Checked By : SPS/DR

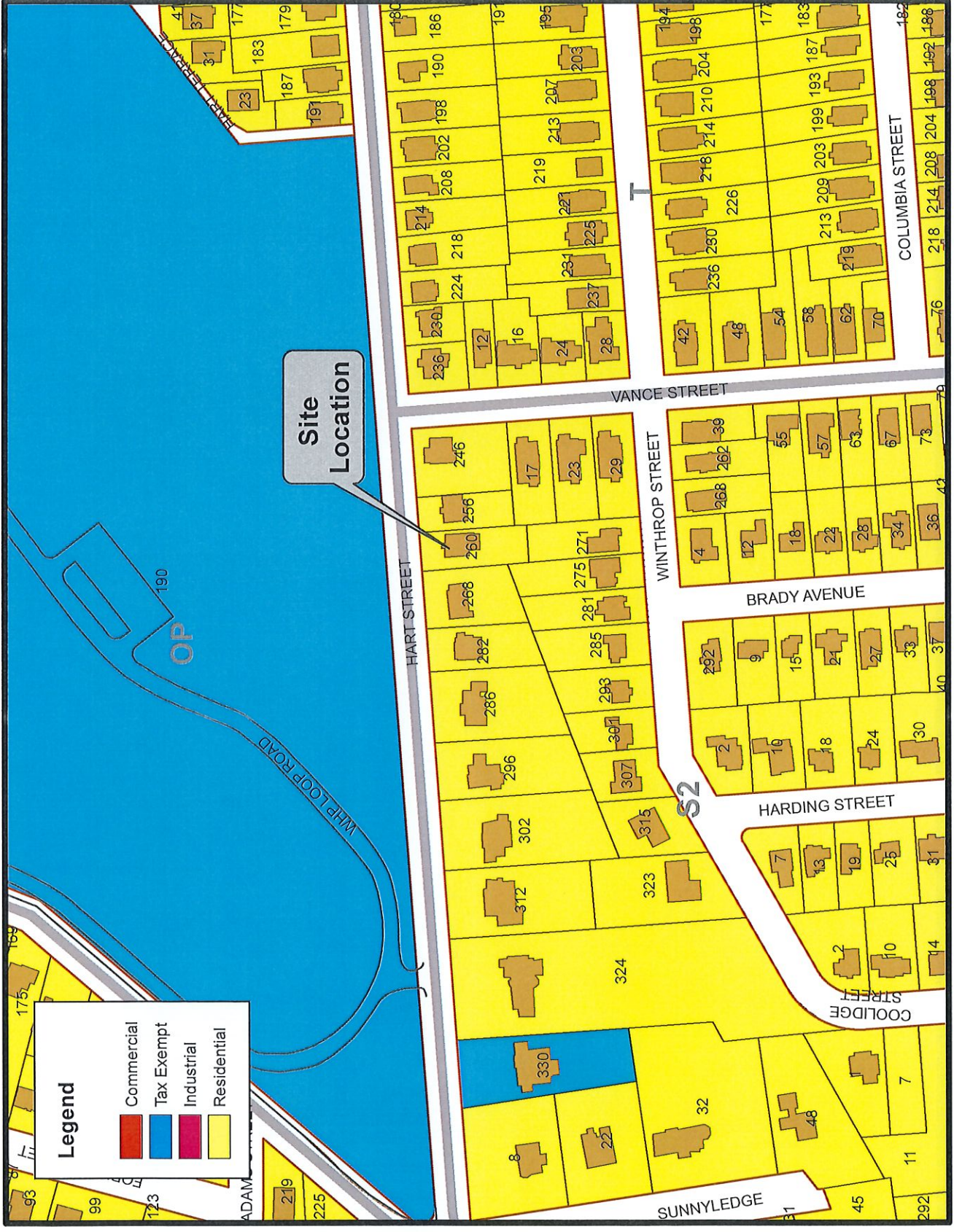
APPLICATION: #4925
APPLICANT: Marco Ocasio
ADDRESS: 260 Hart Street
ZONE: S-2, Single-Family

BACKGROUND: The applicant is requesting a variance to Section 230-120-10, which prohibits placement of a swimming pool within any required minimum yard setback. The subject property is located on the southern side of Hart Street between Vance Street and Lincoln Streets and is zoned S-2, Single-Family. The applicant would like to install a 12 by 24 foot above-ground pool in the rear yard of the property. While the yard is large, the topography is such that flattest portions of the yard are towards the rear most part of the property.

FINDINGS: The applicant's plans show the property is approximately 51 feet in width at the rear property line and has a rear yard distance of nearly 70 feet from the back of the house to the rear property line. The property does slope fairly steeply from an elevation of approximately 184 feet above sea level at the rear of the house, to approximately 176 feet above sea level at the rear property line. The applicant claims that topography creates a hardship necessitating the encroachment into the rear and side yards. The requested location at the southeast corner of the property would require encroachment of about 10 feet into the minimum required 25-foot setback and 3 feet into the 7-foot side yard on the eastern side. The applicant indicates that the rear and side lot lines are fenced and that all appropriate safety measures will be installed.

CONCLUSION: The City Plan Commission has often viewed rear yard pool variances favorably and approval is usually granted, provided the pool is at least some reasonable distance from the neighbor's property line, and provided the necessary screening and fencing is provided. In this case, however, the Commission is concerned about the extreme close proximity to neighboring property lines, and given the steep topography, fear a failure would impact a neighbor's property, including an adjacent garage. The Commission notes that the rear yard is large enough that the pool could be accommodated in a conforming location, though some substantial re-grading might be necessary or perhaps a smaller pool considered.

RECOMMENDATION: The City Plan Commission is of the opinion that this pool encroaches much too closely to neighboring property lines and would have the potential for negative effect to the neighbors. The Commission therefore recommends against approval of this variance.



Legend

Commercial	Tax Exempt	Industrial	Residential
Red	Blue	Pink	Yellow

Site Location



City of New Britain
Department of Public Works
Director - Mark E. Moriarty P.E.

260 Hart Street
Application # 4925

Date : July 2, 2021
Drawn By : CTL
Checked By : SPS/DR