

***Borough of Newtown
Zoning Commission
Newtown, Connecticut***

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE BOROUGH OF NEWTOWN ZONING COMMISSION

Minutes of the Special Meeting and Public Hearing of August 16, 2011

Minutes of the Special Meeting of the Borough of Newtown Zoning Commission on Tuesday, August 16, 2011 at the Borough Office, Edmond Town Hall, 45 Main Street, Newtown, Connecticut. Chairman Linda Shepard called the meeting to order at 7:16 p.m.

Commission Members Present: Linda Shepard, Douglas Nelson, David Francis, Brid Craddock, Lucy Sullivan and Alternate: Palmer Chiappetta.

Staff Present: Maureen Crick Owen, Clerk.

Staff Absent: Jean St. Jean, Borough Zoning Enforcement Officer, and Donald Mitchell, Borough Attorney.

Also present was one person from the press and three from the public.

Public Hearing:

Application of Claris Construction, Inc. for a special exception approval for a veterinary hospital at property located at 52 Church Hill Road, Newtown, CT.

Chairman Shepard read into the record the legal notice. Then Mr. Francis read the following letters into the record:

1. Letter dated July 28, 2011 from Ronald E. Bolmer, PE, Borough Engineer;
2. Letter dated August 16, 2011 from Donna M. Culbert, MPH, PE, RS, Director of Health, Town of Newtown; and
3. Letter dated August 4, 2011 from Chief Michael Kehoe of Newtown Police Department.

Mr. Nelson read into the record the following letters:

1. Letter dated August 5, 2011 from Lilla P. Dean, Chairman of Newtown Planning & Zoning Commission;
2. Letter dated July 26, 2011 from Rob Sibley, Conservation Director of the Borough of Newtown; and
3. Letter dated August 3, 2011 from Bill Halstead, Fire Marshal for the Town of Newtown.

Mr. Phil Clark, President of Claris Construction, 153 South Main Street, Newtown was present to present the application. Mr. Clark submitted the affidavit regarding the certified mailing to the landowners.

The building is 15,000 square foot and they are going to gut the interior of the building and rebuild for the veterinary hospital. They will be adding 5' to the vestibule area to make it code compliant, enclosing the trash area and adding a 60' x 10' dog walk on the back of the building. Also per code they will be adding a handicap van parking space. All parking is existing. He discussed the traffic study and said that there will be less traffic generated with this proposed use than when the building held 85 employees for the general office use of Taunton Press. With the proposed use they will have 24 employees and up to 15 clients at any one time. The entire parcel consists of 11.4 acres but are using the existing small piece. He said that there is buffer on 3 sides and on one side is the railroad tracks. He said the proposed use will not bother anyone. As for signage, he said they will maximize signage so whatever is allowed will maximize.

Mr. Francis asked if the traffic study talked about site lines. Mr. Clark said they have excellent site lines coming out of the property.

Mr. Clark stated that the existing retaining wall that is crumbling will be rebuilt.

Mrs. Sullivan asked who the closest neighbor is and Mr. Clark said the church.

Pam Arsenault, 1 Checkerberry Lane, asked where the dog walk would be. She said she was there on behalf of St. Rose Church. Mr. Clark said it was at the back of the building.

Joy Brewster, 173 Mt. Pleasant Road, spoke in favor of the veterinary hospital. She said that this is well needed in the area and that the quality of work would put Newtown on the map.

Mr. Francis asked what the hours of operation were. Mr. Clark said they were 24/7.

Pam Arsenault, 1 Checkerberry Lane, asked about noise ordinance. Chairman Shepard asked questions of the applicant about noise generated from the site such as air conditioning units. Mr. Scott Schifilliti, who will oversee the business at the hospital, said that the medical equity used at the facility would be kept indoors. And, no animal board would be allowed at the hospital. The dog walk will be used for exercise for the animal after surgery.

Mr. Clark said that they will not be replacing the air conditioning units.

There being no other public participation Chairman Shepard closed the public hearing at 7:36 p.m..

Special Meeting:

The minutes of the May 11, 2011 and June 8, 2011 were tabled.

Old Business:

- a. Discussion and possible decision on public hearing/application of Claris Construction, Inc. for a special exception approval for a veterinary hospital at property located at 52 Church Hill Road, Newtown, CT.

The Commission discussed the application and went through the checklist for required documents (copy attached). In going through the checklist, the applicant did not submit anything with regards to lighting or signs. The Commission noted that the applicant would need to present in the future applications for both assuming they were going to have signs and lighting. The Commission then went through the findings. Discussion took place that the applicant stated in the hearing that the existing retaining wall that is crumbling at the entrance to the property is going to be rebuilt. No information was submitted with the application regarding the rebuilding of the retaining wall. This was mentioned in Rob Sibley's letter which was read into the record. It was agreed that it would be necessary to add a stipulation regarding this. It was agreed that the following stipulation would be added to the findings:

All appropriate Borough agencies shall approve the rebuilding or repairing of the existing retaining wall at the entrance to the property.

Mr. Francis made a motion to approve the application of Claris Construction, Inc. for a special exception for a veterinary hospital at property located at 52 Church Hill Road, Newtown, CT with the following stipulation: All appropriate Borough agencies shall approve the rebuilding or repairing of the existing retaining wall at the entrance to the property. The motion was seconded by Ms. Craddock and the vote was unanimous:

Linda Shepard	Yes
Douglas Nelson	Yes
David Francis	Yes
Brid Craddock	Yes
Lucy Sullivan	Yes
Palmer Chiappetta	Yes

- b. Acceptance of any new applications – none
- c. Any old business - none
- d. Continuing discussion of proposed revisions to zoning regulations - The members agreed that they would move forward with this at the next meeting.
- e. Any old business - none

New Business:

There was no new business.

There being no other business to transact the meeting was adjourned. The next meeting is scheduled for September 14, 2011.

Respectfully submitted,

David Francis, Secretary