

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

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

Minutes of Meeting of May 11, 2011

Minutes of the Meeting of the Borough of Newtown Zoning Commission on Wednesday, May 11, 2011 at the Borough Office, Edmond Town Hall, 45 Main Street, Newtown, Connecticut.

[Prior to the meeting starting, Doug Nelson was sworn in as a member of the Commission.]

Commission Members Present: Douglas Nelson, David Francis, Palmer Chiappetta.

Commission Members Absent: Lucy Sullivan, Brid Craddock and Linda Shepard.

Staff Present: Jean St. Jean, Borough Zoning Enforcement Officer, Donald Mitchell, Borough Attorney, and Maureen Crick Owen, Clerk.

Vice Chairman Doug Nelson called the meeting to order at 7:20 p.m.

No action was taken on the acceptance of the minutes for the February, March and April meetings as all members of the board who were present during the meetings were not present for this meeting.

Russell DeMarco of 17 Main Street was present. He lives next to the Inn at Newtown. He discussed with the Commission the live bands that the Inn has every Friday and Saturday nights and the noise that comes from the Inn. The Commission said they do not have noise regulations that apply and suggested he speak to the owner.

Attorney Ted Backer of Cramer and Anderson was present. He was there on behalf of his client, United Water Company, with regard to their application that was being submitted to the Commission.

Public Hearing:

Application by the Borough of Newtown Zoning Commission for proposed amendments to Sections 2.16D, 4.05, 4.06, 4.10A, 4.10F and Table in Article 5, as noted in a certain document entitled "Borough of Newtown Zoning Commission Proposed Amendments to Zoning Regulations of Sections 2.16D, 4.05, 4.06, 4.10A, 4.10F and Table in Article 5" dated April 13, 2011.

Vice Chairman Nelson read into the record the legal notice and the letter from the Newtown Planning & Zoning Commission. Vice Chairman Nelson noted that there was no one from the public in attendance for the public hearing. Discussion took place about each section of the proposed amendments:

Section 2.16D - The change is to clarify what is meant and that it simplifies the regulation.

Section 4.05 - Discussion took place regarding the proposed regulation as presented is for allowed uses. Further discussion took place regarding past applications and commercial buildings next to residentially zoned properties. The proposed change to the regulation gives more consideration.

Section 4.06 - Discussion took place that the three items from site plan allowed use are now changed to fall under special exception. The change makes it consistent.

Section 4.10A - Discussion took place that there are no available properties that would not propose problems.

Section 4.10F - The addition as presented is agreeable by all board members.

Article 5 Table - The changes as proposed are agreeable by all board members.

Mr. Francis made a motion to approve, as presented, the application by the Borough of Newtown Zoning Commission for proposed amendments to Sections 2.16D, 4.05, 4.06, 4.10A, 4.10F and Table in Article 5, as noted in a certain document entitled "Borough of Newtown Zoning Commission Proposed Amendments to Zoning Regulations of Sections 2.16D, 4.05, 4.06, 4.10A, 4.10F and Table in Article 5" dated April 13, 2011, with an effective date of May 23, 2011, seconded by Mr. Palmer and unanimously approved. The vote was as follows:

David Francis - Yes
Palmer Chiappetta - Yes
Doug Nelson - Yes

Chairman Shepard said that the Planning and Zoning Commission approved their proposed changes to Sections 2.16D, 4.05, 4.06, 4.10A, 4.10F and the Table in Article 5. It was agreed that at the May meeting a public hearing would be held on these proposed revisions.

There were no new sign permit applications.

There was no new business.

There being no other business to transact the meeting was adjourned at 9.15 p.m. The next meeting is scheduled for June 8, 2011.

Maureen Crick Owen, Clerk