

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

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

Minutes of the Meeting and Public Hearing of November 9, 2011

Minutes of the Meeting of the Borough of Newtown Zoning Commission on Wednesday, November 9, 2011 at the Borough Office, Edmond Town Hall, 45 Main Street, Newtown, Connecticut. Chairman Linda Shepard called the meeting to order at 7:15 p.m.

Commission Members Present: Linda Shepard, Douglas Nelson, David Francis (arrived at 8:00 p.m.), Brid Craddock and Lucy Sullivan.

Commission Members Present: Palmer Chiappetta.

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

Staff Absent: None.

Vice Chairman Nelson opened the meeting at 7:30 p.m.

Public Hearing:

Application of United Water Connecticut Inc. to add Section 4.10F to the Borough Zoning Regulations allowing for the use by special exception of certain electrical equipment enclosures serving water company facilities on the same or adjacent properties.

The public hearing was opened at 7:30 p.m. Chairman Shepard recused herself from this application because of the proximity to the property this possible change would affect.

Vice Chairman Nelson took over the meeting. Attorney Dan Casagrande of Cramer and Anderson, PC was present representing the applicant, United Water Connecticut Inc. Vice Chairman Nelson read the proposed change to the regulation as presented by the applicant. Vice Chairman Nelson stated that there was no public participation at this hearing.

Attorney Mitchell stated that a proposed change to the regulation should not be applicable to one specific property and that it should be applicable to all properties within the Borough. It was stated by Attorney Mitchell that the Plan of Conservation and Development states that its intent is to keep Main Street residential

Attorney Casagrande stated that it could reasonably be concluded that the proposal is consistent with the Plan of Conservation and Development.

Attorney Mitchell stated that if the proposed regulation, as presented, is approved and then someone come in with a special exception, the Newtown Planning and Zoning Commission would have to make a finding if it is in compliance with the Plan of Conservation and Development. Discussion took place procedure on applications with written comments from the Newtown Planning and Zoning Commission.

Vice Chairman Nelson asked because of the recent decisions with the DPUC and the Greenridge water issue what purpose does it serve to proceed with the proposed amendment. Attorney Casagrande stated that the pump station will serve use no matter who gets the Greenridge area. Also by proceeding with the application, it would allow a box to be placed where they want it. Currently the pump station is underground and a small utility box is in the State's 25' right of way. It will not be adequate if there is a need in the future.

Ms. Craddock stated that if there was a need in the future possibly those issues could be addressed at that time. It was also stated that the Historic District would have jurisdiction.

There being no further discussion and no public participation the public hearing was closed.

[Mr. Francis arrived at the meeting at this point.]

The minutes from the May 2011 meeting was tabled.

Ms. Craddock made a motion to approve the minutes from the October 12, 2011 meeting, seconded by Mrs. Sullivan and unanimously approved.

There were no new signs or new applications.

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

Maureen Crick Owen, Clerk