

***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 February 8, 2012

Minutes of the Meeting of the Borough of Newtown Zoning Commission on Wednesday, February 8, 2012 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, Brid Craddock, and Alternate: Palmer Chiappetta.

Commission Members Absent: Lucy Sullivan.

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

Also present were several people from the public.

Meeting:

Mrs. St. Jean discussed the proposed sign for the karate store currently in the Church Hill & Queen shopping center which is moving to the Big Y shopping sign. She also discussed the new pharmacy called Newtown Pharmacy & Surgicals which will be located at 20 Church Hill Road. There has been a change of ownership and use and she will instruct the owner to come in with an application and the sign needs to conform with the sign regulations.

Regarding the review by the Planning & Zoning Commission of the Plan of Conservation and Development, it was agreed that when Borough matters were being discussed that one of the following members would attend the meetings: Ms. Shepard, Ms. Craddock and Mr. Nelson

Public Hearing:

Application by the Borough of Newtown Zoning Commission for proposed amendments by adding Section 6.07A and amending Section 6.05B2 of the zoning regulations.

Chairman Shepard read into the record the legal notice. Mr. Francis read the letter dated 02.03.12 from Newtown Planning and Zoning Commission.

Attorney Mitchell stated that the Plan of Conservation and Development (POCD) emphasizes keeping Main Street residential. There is a distinction in the Borough regulations between accessory and principal uses. Attorney Mitchell went on to discuss principal uses in residential zones and also stated that there is specific sign language for governmental buildings in residential zones. He also discussed accessory non-

residential uses are limited to professional offices and nursery schools. He also stated that the POCD separates out Main Street for different treatment.

Sherry Birmingham, 50 Main Street asked how does the setback work with regards to signs and that if they had a sign on their property it would be in the middle of their house. Attorney Mitchell stated that the proposed regulation addresses that and that the Commission reviewed a map evidencing property lines and that the proposed regulation seems to work with signs being on the property.

Mr. Nelson read the proposed sign language which was the subject of the public hearing. He said that the proposed language does not differentiate between the various residential areas in the Borough.

Ms. Craddock questioned the definition of accessory uses. Attorney Mitchell explained that professionals are described as attorneys, surveyors, doctors, dentists and that the accessory use cannot exceed 25% of the floor area, the professional has to live there, three people are only allowed in the professional office with the profession being one of the three, and that the property as a whole to remain clearly residential.

Discussion took place regarding what led up to this proposal and possible separate treatment for Main Street because of historical, visual and POCD. Discussion took place regarding possibly creating different regulations for Main Street.

Jim Gaston, 18 Main Street stated that there is a unique situation with Main Street in that it is historic. He stated that the proposed regulation should be compatible and consistent with the Historic District regulations. He said that the Historic District regulations takes into consideration the type of signage and consistent pattern of hanging signs. The existing hanging signs in the Borough were grandfathered. He said it is inappropriate to alter the character of the historical district. He stated we have a consistency of hanging signs which the Commission should protect.

Mr. Nelson stated that a 5' sign was too large, inconsistent and not with the flow of what currently exists on Main Street.

Discussion took place regarding the rights of ways on Main Street and South Main Street.

Jim Gaston, 18 Main Street encouraged that the regulation be consistent with the Borough Historic District regulations.

Joan Crick, 7 Glover Avenue stated she was concerned about Main Street and could the regulations regarding signs be separated to just deal with Main Street. She stated that state commissions have commended the Borough as it is one of the last Main Streets in Connecticut with historic residences.

Mrs. St. Jean reiterated that the Borough is complimented for its Main Street and that we have to keep it in conformity with the POCD and cannot do anything contrary to the POCD.

Eric DaSilva, Main Street, agreed that signs on Main Street should be in keeping with the character and residential areas. He stated that he needed to identify his business on Main Street. He said it makes the most sense to have small signs closer to the street. He said if a sign is 10' back from the property line it cannot be seen by someone driving on Main Street.

Discussion took place on signs in the rights of way.

James Gaston, 18 Main Street asked how do you regulate on property you do not own.

Tony Baiad, Budd Drive, stated that the signs should be for identification and not for advertising otherwise you are destroying the effect of what has been established.

Peggy Jepsen, 16 South Main Street stated she would like to see the character stay the same and would like it to be in keeping of the character of Main Street.

Attorney Mitchell discussed signs on Main Street and how that would affect property values and that they cannot be put in the line of sight.

Jill Wolowitz, 16 Main Street said if signs are of a residential look that will not deter property value.

There being no further discussion, Chairman Shephard closed the hearing.

Discussion took place amongst the board members regarding the proposed sign regulation. It was agreed that new proposed sign language would be submitted to the Newtown Planning and Zoning Commission which would encompass the points raised at the public hearing and further discussion by the board members. The Commission agreed that at their next meeting they would hold a public hearing on the new proposed language.

Mr. Nelson made a motion to approve he January 11, 2012 minutes, seconded by Ms. Craddock and unanimously approved.

There being no other business to transact the meeting was adjourned. The next regularly scheduled meeting for March 14, 2012 is cancelled and a special meeting will be held on March 22, 2012.

Maureen Crick Owen
Clerk