

***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 September 19, 2012

Minutes of the Special Meeting and Public Hearing of the Borough of Newtown Zoning Commission on Wednesday, September 19, 2012 at the Lower Meeting Room, Edmond Town Hall, 45 Main Street, Newtown, Connecticut. Vice Chairman David Francis called the meeting to order at 7:17 p.m.

Commission Members Present: Linda Shepard, David Francis, Brid Craddock and Lucy Sullivan.

Commission Members Absent: Doug Nelson and Alternate Palmer Chiappetta.

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

Also Present: 8 people from the public and one reporter from the Newtown Bee.

Public Hearing:

Applications of Newtown Savings Bank for site development plan, special exception and village district approvals for construction of buildings on property located at 32 Church Hill Road and upgrades to property located at 30 Church Hill Road, Newtown, CT.

Vice Chairman Francis stated that Mr. Nelson was absent from the hearing due to surgery but asked if the applicant had any objection to him sitting on this application since he is within 1,000 feet of the subject property. Attorney Scalzo said that they had no objection.

The Clerk read into the record the following letters:

1. Letter from Ronald E. Bolmer, Borough Engineer, dated 09.12.2012;
2. Letter from Fire Marshal Bill Halstead dated 09.06.2012;
3. Letter from Chairman Lilla Dean of Newtown Planning & Zoning Commission dated 09.07.2012;
4. Letter from Rob Sibley, Conservation Director dated 09.12.2012
5. Letter from Mike Carey, Senior Sanitarian dated 08.07.2012;
6. Letter from Chief Michael Kehoe, Police Department dated 09.05.2012.

The Clerk, Mr. Francis and Ms. Craddock read into the record the letter from the Borough architect, Andrew Peklo, dated 09.14.2012.

Mr. Francis read into the record the letter dated September 10, 2012 from Michael Lillis, P.E. of CCA LLC to Michael Carey, Senior Sanitarian with the Town of Newtown. Mrs. St. Jean indicated to the Commission that Mr. Carey had no issues with the contents of the letter and would provide to the Commission a letter stating such fact.

Vice Chairman Francis asked who was here to present the application. Attorney Peter Scalzo, attorney for applicant, Newtown Savings Bank, introduced himself.

Attorney Peter Scalzo stated that the applicant, Newtown Savings Bank, is proposing a project for 30 Church Hill road which consists of 1.0655 acres and 32 Church Hill Road which consists of 5.3214 acres, for a total acreage of 6.30 acres. He stated that the building at 30 Church Hill Road is 16,000 square feet and that the old Lexington Gardens building is located on the property at 32 Church Hill Road. On 32 Church Hill Road, he said they are proposing four new structures and that the existing building on 30 Church Hill Road will stay the same. The applicant is proposing the following buildings on 30 Church Hill Road:

28,000 square foot (existing Lexington Gardens building)
Two - 13,000 square foot buildings
6,500 square foot building in the front

These buildings combined with the building at 30 Church Hill Road will be a total of 76,500 square feet.

Attorney Scalzo stated that the Inland Wetlands Commission unanimously issued an approval.

Attorney Scalzo submitted to the Commission the certified mailings affidavits with the receipts.

Attorney Scalzo introduced the other professionals who would be speaking to the various aspects of the application. He also noted that John Trentacosta, President, and William Calderara, Senior Vice President, both of Newtown Savings Bank were present.

Vice Chairman Francis read into the record the letter dated September 14, 2012 from Anne Peters, Chairman of the Inland Wetlands Commission to Attorney Peter Scalzo wherein the commission approved Newtown Savings Bank application for a license to conduct regulated activities on the subject property.

Mike Lillis, P.E. of CCA, LLC, 40 Old New Milford Road, Brookfield spoke explained the driveway lines and the buildings. He said that the 6,500 square foot building will be for Newtown Savings Bank with a drive up and ATM. The two 13,000 square foot buildings will have retail/office on the first floor and offices on the second floor. The 28,000 square foot building will have retail/office on the first floor with offices on the 2nd floor. He explained the engineering plan including grading and drainage. He stated that the

buildings would be 1' above ground elevation. He discussed the water/sewer utility plans. He noted the location of the fire hydrants. He described the landscaping plan.

Richard Frankonis, 40 Old Road, stated that he is the owner of the property where Starbucks is located. He asked if there would be any drainage going north. Mr. Lillis said only what goes there now and that all drainage will be going south.

Michael Galante, Traffic Consultant, Frederick P. Clark Associates, Inc., 41 Ruane Street, Fairfield, Connecticut, explained the traffic study, referring to an August 2012 Traffic Report. He discussed the times that the traffic study was done - peak times of the weekdays and on Saturday. He said that the driveway will line up with The Boulevard. A traffic signal will be installed at that intersection and they are in the process of going through the application/approval process with the Office of the State Traffic Administration (OSTA formerly CT DOT). The traffic signal located at this intersection will be coordinated with the traffic signal located at the intersection of Queen Street and Church Hill Road. The traffic signal will help the traffic flow.

Ms. Craddock asked Mr. Galante if they took the "access of convenience" credit allowed because of the connection between Eton Centers and this project. He said no that they wanted to be on the conservative side.

Msgr. Robert Weiss, St. Rose of Lima Church, asked when the traffic studies were done. Mr. Galante said in March and April 2012. He said with the change in the school bus system in the town more parents are driving their children to school, religious education was completed before the dates of the study and they have an increase in enrollment. His concern was people entering and exiting the St. Rose parking lot and the traffic with the proposed new traffic signal.

Dr. Curtis Beck, 12 Queen Street, asked if there was going to be controls for the light. Mr. Galante stated that the light was going to be controlled by pads in the pavement. He said that this light will be coordinated with the light at the corner of Queen Street and Church Hill Road to assist in moving the traffic safely.

Mr. Galante said that they cannot get approval from OSTA until they have all approvals at the local level.

Richard Frankonis, 40 Old Road, said that the installation of the traffic signal was a good idea.

Hugh Sullivan, Architect, Bennett and Sullivan Associates of Southbury, Connecticut went through the Site Plan. He said the project creates scales and massing. He stated that the building at 30 Church Hill Road starts the theme for this project. The Chase bank will have a new canopy. The building for Newtown Savings Bank will have the same prototype as the "Morganti" building (30 Church Hill Road building). Then he discussed the A&B and C&D buildings and that they are mirror images of each other.

These structures will each share a common area and two sets of stairs. He said they are always introducing the glass component which started with the Morganti building. Buildings A & B will share a lobby and elevator as will Buildings C & D. The illusion is that there are 2 buildings but there is only one. He said our regulations promote energy efficiency. By linking the two buildings it promotes energy efficiency.

He said there will be three van parking spaces - two by Lexington Gardens building and one by the Newtown Savings Bank building.

Mr. Sullivan stated that his goal was to make you feel that these buildings were always there. He said there is symmetry throughout. The sidewalk system provides pedestrian safety.

There were no other questions from the public or the Commission. Attorney Scalzo asked that the Commission close the public hearing and render a vote.

The public hearing was closed.

Ms. Craddock stated that the proposed applications meet the zoning regulations. Ms. Sullivan stated that it is a big project but feels like separate buildings. She said that the traffic light will improve the traffic in some ways. Mr. Francis asked about parking. Mrs. St. Jean said that they have 61 reserved parking spaces for future use, if required. There is not an agreement between Newtown Savings Bank and the owner of the Caraluzzi's shopping center for shared parking. Mr. Francis said that it is in scale and proportion, and that by adding a traffic light will have an impact on traffic. Mrs. Shepard said that it was a good presentation and a project they could be proud of.

Attorney Mitchell discussed discrete building structure and the definition of same. He said this language was adopted as part of the village district regulation to address massing and scale from street view. He said that discrete consists of distinct elements and that there are some distinct elements in the buildings certainly visually. Mrs. St. Jean said that Buildings A&B and C&D you will not see from the street but you will see the Morganti building, the Newtown Savings Bank building and the tower on the existing Lexington Gardens building. She noted that the existing Lexington Gardens and Morganti buildings are both pre-existing buildings. Ms. Craddock stated that when the regulation was adopted that professionals could use their expertise to look for solutions when developing properties. She said while it is appropriate for this site it might not be appropriate for another site. She said that discrete allows for a lot of leeway.

Ms. Craddock made a motion to vote on the applications, seconded by Mrs. Sullivan and was unanimously approved.

The vote was as follows:

David Francis - Yes
Linda Shepard - Yes
Brid Craddock - Yes
Lucy Sullivan - Yes

The commission went through the findings for each application. Further discussion took place regarding utilities and drainage and traffic light.

Ms. Craddock made a motion to approve the applications of Newtown Savings Bank for site development plan, special exception and village district approvals for construction of buildings on property located at 32 Church Hill Road and upgrades to property located at 30 Church Hill Road, Newtown, as presented. The motion was seconded by Mrs. Sullivan and unanimously approved. The vote was:

David Francis - Yes
Linda Shepard - Yes
Brid Craddock - Yes
Lucy Sullivan - Yes

Meeting:

Old Business:

1. Any new proposed signs, if any - The sign presented for the property formerly known as Andrea's Bakery was approved.
2. Acceptance of any new applications, if any - none.
3. Any old business - none.

New Business:

1. Any new business - none.

There being no other business to transact the meeting was adjourned at 10:25 p.m. The next regularly scheduled meeting will be held on October 10, 2012.

Maureen Crick Owen
Zoning Clerk