

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

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

Minutes of the Meeting of April 8, 2015

Minutes of the Meeting of the Borough of Newtown Zoning Commission on Wednesday, April 8, 2015 at the Borough Office, Edmond Town Hall, 45 Main Street, Newtown, Connecticut. Chairman Doug Nelson called the meeting to order at 7:00 p.m.

Commission Members Present: Doug Nelson, Lucy Sullivan, David Francis, Susan Filan and Michael Guman.

Commission Members Absent: Brid Craddock.

Staff Present: Jean St. Jean, Borough Zoning Enforcement Officer, Donald Mitchell, Borough Attorney, and Maureen Crick Owen, Zoning Clerk, George Benson, Land Use Department.

Staff Absent: None.

Public Present: Rob Manna, Rick Camejo, Press from The Bee, Salvatore Longo from Tata & Howard and Mark Fois from Aquarion Water Company of Connecticut.

Public Hearing:

Application by the Borough of Newtown Zoning Commission for proposed additions/amendments to the zoning regulations regarding the need for regulation of some public utility installations that do not constitute principal uses.

Chairman Nelson opened the public hearing at 7:07 p.m. and read into the record the legal notice. Chairman Nelson read into the record the letter from Robert Mulholland, Chairman, Planning and Zoning Commission.

Attorney Mitchell stated that without this amendment installation of pump stations installed on properties would be illegal. He said think back to the installation of the sewers when utility pump stations were installed. This revision to the regulations allows a secondary use on the property but cannot be the primary use. And, the amendment does not permit installation of major utility stations and excludes fire hydrants and telephone poles.

Mr. Francis said that they discussed this at their last meeting as a concept. They discussed the height limitation and how the use is incidental to the principal use of the property. Any installation of a public utility would be subject to a special exception application.

Chairman Nelson said any public utility must remain incidental to the lot. Ms. Filan said practically speaking the regulations need it.

Chairman Nelson asked if anyone was present had any questions. Mark Fois of Aquarion raised an issue with regards to the definition of accessory. He asked is it defined to include that hatch to an underground structure. He explained that water utility stations have hatches about 10 square feet and leaves very little wiggle room. It is subordinate to the facility. He suggested including "regulator vault" in the definition. Mr. Benson said it was a good suggestion and to add it.

The public hearing was closed at 7:30 p.m.

Discussion took place about the application and it was agreed that "regulator valve vault" be included in 4.06.c to the proposed regulations.

Mr. Francis made a motion to approve the application by the Borough of Newtown Zoning Commission for proposed additions/amendments to the zoning regulations regarding the need for regulation of some public utility installations that do not constitute principal uses as revised by including "regulator valve vault" in Paragraph 4.06c. The motion was seconded by Mrs. Sullivan and unanimously approved.

The proposed revision will be effective April 20, 2015.

Public Hearing:

Application of Mark Fois c/o Aquarion Water Company to construction a water pumping station on property owned by Newtown Hook & Ladder Company No. 1, Inc. located at 12 Church Hill Road.

Chairman Nelson opened the public hearing at 7:40 p.m. He read the legal notice into the record. Between Chairman Nelson and Mr. Francis, they read the following letters into the record:

1. Letter from Mike Carey, Department of Health;
2. Letter from Bill Halstead, Fire Marshal;
3. Letter from Rob Sibley, Conservation Director; and
4. Letter dated from Ronald E. Bolmer, Borough Engineer

Chairman Nelson asked who was present to present the application. Mark Fois of Aquarion Water Company of Connecticut introduced himself and Salvatore Longo, P.E. of Tata & Howard. Chairman Nelson explained that Commissioner Guman lived within 1,000 feet of the subject property. Mr. Fois had no objection to Mr. Guman sitting on the application.

He explained that they need to replace the existing station located on the Police Department property on Main Street. That facility dates back to the 1970's and is at the end of its useable life. The power company has deemed that station unsafe to work on it. Aquarion engaged a consultant to assist with finding a replacement location. They are not going to pursue the repair or replacement of the existing pump system. In doing their analysis for a new site, they struck a partnership with Newtown Hook & Ladder and they have extended to them an easement on their property to install the pumping station.

Mr. Fois said the pumping station is vital to the high service area. And, they prefer to build it above ground. He said the site at 12 Church Hill Road is preferred because of the 12" line. Electricity will service both the pumping station and the firehouse by one single line. The pumping station will have a standby generator (the current one does not) which will be fueled by natural gas. The land around the pumping station will be a grass surface. They are going to build the building with a similar look to the Newtown Hook & Ladder building. They hope to break ground in the 4th quarter of 2015.

It was raised that Newtown Hook & Ladder went through the Historic District and Mrs. St. Jean said they would need Historic District approval.

Chairman Nelson said that the short side of the building will be facing the street. Mr. Benson said it will look like a shed next to a house. It will look like an accessory building to the firehouse.

Chairman Nelson asked about a lighting plan. Attorney Mitchell asked about traffic to the site. Mr. Fois said there is about 1 vehicle trip per week to the station. There will be a pull off of the main drive near the building for parking.

Mr. Guman asked about sound. Mr. Fois said it depends on the size of the generator. He said he does not think it will exceed the ordinances.

Chairman Nelson asked if they will maintain the grass area around the station. Chairman Nelson said they need to see an architectural rendering, lighting plan, landscaping plan, sign plan.

While the Commission did not receive a letter from the Planning Department, Mr. Benson stated that the Planning Commission approved the application and that a letter confirming said would follow.

It was suggested that Aquarion go to the Historic District for their approval first and then come back to the Zoning Commission.

The public hearing shall be kept open until the Commission's next regularly scheduled meeting on May 13, 2015.

Discussion took place regarding the application. The Commission said they needed the application to submit to them the following:

1. Copy of easement between Newtown Hook & Ladder and Aquarion (combined use and how binding).
2. Historic District approval.
3. Lighting plan.
4. Landscaping plan.
5. Architectural rendering.

Meeting:

Motion was made by Mr. Francis to approve the December 10, 2014 minutes of the Borough Zoning Commission. The motion was seconded by Mrs. Sullivan and unanimously approved.

Motion was made by Mr. Francis to approve the January 14, 2015 minutes of the Borough Zoning Commission. The motion was seconded by Mrs. Sullivan and unanimously approved.

Motion was made by Mr. Francis to approve the March 11, 2015 minutes of the Borough Zoning Commission. The motion was seconded by Mrs. Sullivan and unanimously approved.

There being no other business to transact the meeting was adjourned at 9:00 p.m. The next regularly scheduled meeting will be held on May 13, 2015.

Maureen Crick Owen
Zoning Clerk