

***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 December 9, 2015

Minutes of the Meeting and Public Hearing of the Borough of Newtown Zoning Commission on Wednesday, December 9, 2015 at the Borough Office, Edmond Town Hall, 45 Main Street, Newtown, Connecticut. Chairman Doug Nelson called the meeting to order at 7:30 p.m.

Commission Members Present: Doug Nelson, Brid Craddock, Lucy Sullivan, Susan Filan and David Francis.

Commission Members Absent: Robert Connor and Michael Guman.

Staff Present: Donald Mitchell, Borough Attorney, and Maureen Crick Owen, Zoning Clerk.

Staff Absent: Jean St. Jean, Borough Zoning Enforcement Officer.

Public Present: Hugh Sullivan.

Meeting:

Hugh Sullivan was present on behalf of the Lexington Gardens project to discuss the "Morganti" building (building housing Chase Bank and the Bagel Delight businesses). Because of the date the building was built they cannot put the roof on top of the building as previously approved as the roof cannot support it. This also has to do with the changes in the state building code since Hurricane Sandy. There was discussion about having a façade instead of the roof. It was left that Mr. Sullivan would go back to the owner and engineer to determine what other options there might be and will report back to the Commission.

Public Hearing:

Application by the Borough of Newtown Zoning Commission for proposed amendments to: (a) Article 2 (Definition of Terms) regarding revisions to definitions of Business Building and Gross Floor Area; (b) Article 6 (Signs) regarding temporary signs, hanging signs, Building Identification Signs, wall signs in more than one piece and projecting signs in centers and developments; (c) Article 11 (Erosion & Sediment) to update text to be consistent with Town of Newtown wording; and (d) Article 12.07 (Village District) to add a village district infrastructure exemption for small improvements and clarifying application of village district regulations to all lots, including those containing governmental, church and school uses.

Chairman Nelson opened the public hearing at 7:45 p.m. and Ms. Braddock read into the record the legal notice. Mr. Francis read the letter from Newtown Planning and Zoning Commission dated December 9, 2015 approving the recommended changes to the regulations. Attorney Mitchell stated that the proposed changes were discussed at the Planning and Zoning Commission meeting and it was discussed that the proposed changes were consistent with the Plan of Conservation and Development. Attorney Mitchell stated he did not vote on the motion made by the Planning and Zoning Commission.

The proposed changes to Article 2 Definitions were discussed. There has been a clarification to the business building definition and a new definition added which is gross floor area. Chairman Nelson read into the record the letter from Robert Mulholland, Chairman of the Newtown Planning & Zoning Commission dated January 7, 2014, which stated that the Town of Newtown Planning and Zoning Commission voted to recommend the approval of the proposed amendments.

Mr. Sullivan commented that when you apply for a building permit in the Town of Newtown they use the inside walls as a calculation.

Motion was made by Mr. Francis to approve the application by the Borough of Newtown Zoning Commission for proposed additions/amendments to the zoning regulations specifically Article 2 (Definition of Terms) regarding revisions to definitions of Business Building and Gross Floor Area, as presented. The motion was seconded by Mrs. Sullivan. The vote was:

Douglas Nelson – Yes
David Francis – Yes
Brid Craddock – Yes
Lucy Sullivan – Yes
Susan Filan – Abstained

The motion passed.

The proposed changes to Article 6 Signs were discussed. Section 6.03 was added regarding hanging signs. And, they increased the number of days for a temporary sign from 7 to 10 days. Motion was made by Mr. Francis to approve the application by the Borough of Newtown Zoning Commission for proposed additions/amendments to the zoning regulations specifically Article 6 (Signs) regarding temporary signs, hanging signs, Building Identification Signs, wall signs in more than one piece and projecting signs in centers and developments, as presented. The motion was seconded by Mrs. Sullivan. The vote was:

Douglas Nelson – Yes
David Francis – Yes

Brid Craddock – Yes
Lucy Sullivan – Yes
Susan Filan – Yes

The motion passed unanimously.

The proposed changes to Article 11 Erosion & Sediment Control were discussed. Motion was made by Ms. Craddock to approve the application by the Borough of Newtown Zoning Commission for proposed additions/amendments to the zoning regulations specifically Article 11 (Erosion & Sediment) to update text to be consistent with Town of Newtown wording, as presented. The motion was seconded by Mr. Francis. The vote was:

Douglas Nelson – Yes
David Francis – Yes
Brid Craddock – Yes
Lucy Sullivan – Yes
Susan Filan – Yes

The proposed changes to Article 12 Village District were discussed. The revision addresses any business that wants to make a small change without having to install the infrastructure. Motion was made by Mr. Francis to approve the application by the Borough of Newtown Zoning Commission for proposed additions/amendments to the zoning regulations specifically Article 12.07 (Village District) to add a village district infrastructure exemption for small improvements and clarifying application of village district regulations to all lots, including those containing governmental, church and school uses, as presented. The motion was seconded by Mrs. Sullivan. The vote was:

Douglas Nelson – Yes
David Francis – Yes
Brid Craddock – Yes
Lucy Sullivan – Yes
Susan Filan – Abstained

The motion passed.

All revisions to the regulations are effective December 21, 2015.

The public hearing was closed at 8:20 p.m.

Meeting:

1. Chairman Nelson asked the members to think about: (1) residential dwellings in professional uses; (2) expanding professional uses and (3) expanding the occupations in residential zone.

2. There are no sign applications.

Chairman Nelson made a motion to approve the 2016 meeting dates, seconded by Ms. Craddock and unanimously approved.

Chairman Nelson made a motion to approve the November 18, 2015 minutes, seconded by Ms. Braddock and unanimously approved.

There being no other business to transact the meeting was adjourned at 8:40 p.m. The next regularly scheduled meeting will be held on January 13, 2016.

Respectfully submitted,

Maureen Crick Owen
Zoning Clerk