

Borough of Newtown Zoning Commission Newtown, Connecticut

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

Minutes of the Public Hearing and Regular Meeting of September 14, 2016

Minutes of the Public Hearing and Regular Meeting of the Borough of Newtown Zoning Commission on Wednesday, September 14, 2016 at the Lower Meeting Room, Edmond Town Hall, 45 Main Street, Newtown, Connecticut. Chairman Doug Nelson called the meeting to order at 6:40 p.m.

Commission Members Present: Doug Nelson, David Francis, Brid Craddock, Lucy Sullivan, Michael Guman and Claudia Mitchell.

Commission Members Absent: Robert Connor.

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

Staff Absent: Jean St. Jean, Borough Zoning Enforcement Officer. **Also Present:** 4 members of the public and Hugh Sullivan.

Also Present: 4 members of the public.

Public Hearing:

Application by Hugh Sullivan, Architect, on behalf of the owner of The Villages at Lexington Gardens, for an amendment to the special exception approval for property located at 30-32 Church Hill Road, more particularly with regards to the proposed revisions to the building located at 30 Church Hill Road.

Chairman Nelson opened the public hearing and informed the applicant that he resides within 1,000 feet within the property of the subject hearing. He asked the applicant if there were any objections if he sat on this hearing. The applicant had no objections.

Chairman Nelson read into the record records the following letters:

1. Letter from Rob Sibley, Borough Conservation Director dated August 30, 2016;
2. Letter from Ron Bolmer, Borough Engineer, dated September 7, 2016; and
3. Letter from Robert Mullohand, Chairman of Newtown Planning and Zoning Commission dated September 1, 2016.

Chairman Nelson informed the commission that because of the comment in the letter from Mr. Mullohand he asked Mr. Sullivan to provide a letter from a structural engineer.

Hugh Sullivan, architect of Bennett Sullivan Associates, representing the owners, presented the application. He submitted the verification of the mailings to owners within 1,000 feet of the subject property. He showed the commission what was approved four years ago for the building located at 30 Church Hill Road. The letter from The DiSalvo

Engineering Group dated September 11, 2016 was submitted by Mr. Sullivan. Mr. Sullivan explained that the roof structure as approved would not be able to withstand snow, wind and seismic load. Even with just gabling, it would not be able to withstand wind or snow drifts. Given that the building was built in the 1970's at which time the structural requirements of the CT State Building Code did not include provisions for roof snow drift, wind loading and seismic loading. Mr. Sullivan said that the building would still include the shutters and corniches as in the original approval. The building will be painted white so it looks like the rear buildings. Mr. Sullivan read into the record the letter from The DiSalvo Engineering Group. He also said the doors will be the same and new glass will be installed in the atrium to match the other buildings.

Mr. Sullivan also reviewed other changes previously approved by the commission to the project:

- a. Newtown Savings Bank drive-through will be at the rear of the building;
- b. ATM is a separate structure and is in the back of the building;
- c. Tweaked the dumpster pads which will be screened, fenced and landscaped;
- d. Raised the building up about 14".

The final site plan with all approved changes will be provided to the Land Use department prior to issue of the certificate of occupancy.

Ms. Kathleen Guattury, 8 Boulevard, said she was happy about the new light that will be installed at the intersection of The Boulevard and the Lexington Gardens project.

There was no other public to speak in favor or against the amendment application. The public hearing was closed at 7:04 p.m.

Public Hearing:

Application by Chew Chew Station, LLC for a village district approval for a building constructed at 55 Church Hill Road (also referred to as the old train station and storage building).

Chairman Nelson opened the public hearing at 7:05 p.m. He read into the record the following letters:

1. Letter from Ronald Bolmer, Borough Engineer, dated August 16, 2016; and
2. Letter from Robert Mullohand, Chairman, Newtown Planning and Zoning Commission dated September 1, 2016.

Joseph Rebecco of 55 Church Hill Road presented the application. He said the old storage building was being rebuilt but there would be additional square footage added. He explained that Cave Comics will move into that building and Burgerittoville will expand their space into the old Cave Comics space. He said the new building will be identical to what was there before except instead of 660 square feet it would now be 900 square feet. It would be of wood construction, cedar shingle. It will no longer be an eyesore. Chairman Nelson explained that Mr. Rebecco submitted drawings to the Building Department,

however, it did not trigger that a village district application be submitted to the commission. Because of the size of the construction it does not require a site development application nor does it require granite curbing, sidewalk or lighting.

Ms. Kathleen Guattury, 8 Boulevard, inquired about outdoor seating. He said there might be a few tables outdoor and he is hoping to have a small bar.

Ms. Craddock asked if he plans for signage for the new constructed building. He said he did not have any. He was hoping that Cave Comics could move their sign from the existing building to the new building.

Mrs. Sullivan asked what their hours of operation would be. He said during the week it would be 11:00 a.m. – 7:00 p.m. And, on Friday and Saturday it might be 11:00 a.m. – 10:30 p.m. or 11:00 p.m. He is hoping to have fork and knife dinners. By expanding after Cave Comics moves out he is basically doubling his square footage to about 1,560 square feet.

Mr. Guman asked about planting plans. He said there is no planting in front of the building. He said he hopes to landscape the hillside.

Anthony Baiad, 4 Budd Drive, asked for an explanation as to what company will be located in what part of the building.

Mr. Rebecco said that there would be a door on each end of the building.

The commission then reviewed what had been submitted with the application to ensure they could proceed with the findings.

Mr. Francis asked what color the building will be. He said it would be barn red with yellow and black trim. He also said that the a/c units are located in the back of the building on the railroad side.

Mr. Guman asked about the garbage dumpster. Mr. Rebecco said there are no new dumpsters. He also said that there will be lighting at the peak over the doors and sconces by the doors. Mr. Rebecco said that he does not have any plans at this time to add additional lighting except as stated previously.

There were no other public to speak in favor or against the application. The public hearing was closed at 7:30 p.m.

LEXINGTON GARDENS: The members went over the findings for the amendment to the special exception approval. They found that 5 a-g and i were not applicable. 5h was applicable to the application. Chairman Nelson, Ms. Craddock, Mrs. Sullivan, Mr. Guman all found that the architectural design of the proposed building is in harmony with the

design of other buildings on the lot and within 1,000 feet of the perimeter of the lot for which the amendment to the special exception is being sought. Mr. Francis did not.

Mr. Francis made a motion to approve the application by Hugh Sullivan, Architect, on behalf of the owner of The Villages at Lexington Gardens, for an amendment to the special exception approval for property located at 30-32 Church Hill Road, more particularly with regards to the proposed revisions to the building located at 30 Church Hill Road. The motion was seconded by Mrs. Sullivan and unanimously approved.

CHEW CHEW STATION, LLC: The commission went through the village district findings. Mr. Francis made a motion to approve the application by Chew Chew Station, LLC for a village district approval for a building constructed at 55 Church Hill Road (also referred to as the old train station and storage building). The motion was seconded by Mrs. Sullivan and unanimously approved.

Special Meeting:

New Business:

1. Sign Applications: Mr. Hugh Sullivan presented the sign drawings for the Village at Lexington Gardens. After review, Mr. Francis made a motion to approve the sign drawing dated 09.14.2016. The motion was seconded by Ms. Craddock and unanimously approved.
2. Chairman Nelson read to the commission the letter he received from Bill Colbert stating he was appreciative of the changes to the professional zone.

Old Business:

1. 77 Main Street: Chairman Nelson stated that they received a letter from the remediation contractor suggesting that the property cannot be used as a residence.
2. Village District Main Street: There will be an article regarding the proposed changes to the zoning regulations in the Bee. The public hearing on this matter is scheduled for September 21, 2014. Discussion took place over the State's guidebook for municipal historic districts.
3. Edmond Town Hall: Chairman Nelson asked Margot Hall to submit a wish list for uses for the ETH. Chairman Nelson will share the letter he received with the members.

Mr. Francis made a motion to approve the minutes of the June 8, 2016, July 13, 2016 and August 10, 2016. The motion was seconded by Ms. Craddock and unanimously approved.

There being no further business the meeting was adjourned at 8:55 p.m. There is a special meeting on September 21, 2016 and the next regularly scheduled meeting will be held on October 12, 2016.

Respectfully submitted,

Maureen Crick Owen
Clerk