

# MINUTES

## *Newtown Planning and Zoning Commission*

*Land Use Office  
Council Chambers  
3 Primrose Street, Newtown, Connecticut*

*Regular Meeting  
June 2, 2011*

Present: Ms. Dean, Mr. Poulin, Ms. Brymer Mr. Bloom and Mr. Mulholland. Alternates: Mr. Pozek, Mr. Porco and Mr. Cruson. Also present: George Benson, Land Use Director. Clerk: Ms. Wilkin

The meeting was opened at 7.33 p.m. Notice is made that the entire meeting was taped and can be heard in the Planning and Zoning Office, Municipal Building, 3 Primrose Street, Newtown, Connecticut

### **PUBLIC HEARING (Continued)**

APPLICATION BY THE TOWN OF NEWTOWN PLANNING AND ZONING COMMISSION FOR UPDATE TO THE TOWN OF NEWTOWN PLAN OF CONSERVATION AND DEVELOPMENT AS CONTAINED IN A DRAFT DOCUMENT ENTITLED "SECTIONS OF THE WORKING DRAFT TOWN OF NEWTOWN PLAN OF CONSERVATION AND DEVELOPMENT 2010 SANDY HOOK DESIGN DISTRICT DRAFT - HAWLEYVILLE CENTER DESIGN DISTRICT DRAFT - SOUTH MAIN STREET DESIGN DISTRICT DRAFT".

Ms. Dean advised that the best way to proceed was to address all three districts at the same time. The analysis of open space done in 2003 should be shortened. Mr. Benson will send copies of the report to the Commissioners for future discussion.

### **COMMUNICATIONS/CORRESPONDENCE**

#### **DISCUSSION CONCERNING: LOW IMPACT DEVELOPMENT AND OPEN SPACE CONSERVATION SUBDIVISIONS**

The discussion included making open space subdivisions by right rather than special exception. Sometimes special exceptions make developers nervous because the Commission has more say over the proposal. Consideration should be given to working on lot formulas instead of having to work every nook and cranny. So far no-one has come before the Commission with a conservation subdivision.

Mr. Poulin was not in favor of this idea, preferring to retain control through special exception. Conservation subdivisions could be developed anywhere. He thinks each one should be looked at individually. By right does not require P&Z approval.

Ms. Brymer thinks there should be a report on how much more open space would be acquired with conservation subdivisions.

Mr. Mulholland said there is a need to find a way of making developers and builders come before the Commission with a proposed conservation subdivision, which could be a learning tool. He referred to Ridgefield where very large homes have been built on half to three-quarter acre lots resulting in less infrastructure and less maintenance. He favors the idea.

Mr. Cruzon was also in favor of the idea.

Mr. Pozek had no comment at this time.

Mr. Benson thought it should be treated like any other subdivision. He does not think there is a way to come up with a formula. The staff cannot engineer for developers. There is a need to educate developers by showing them what is possible.

Mr. Mulholland would like to tell developers of the options available.

Ms. Dean went on to say that because Newtown has been so unsuccessful with conservation subdivisions, unlike other towns, perhaps special exceptions should be eliminated. Mr. Mulholland said applicants should have to go through normal channels for feasibility of lots, agreeing to build the same number of houses closer together, giving up 50% to open space. Also suggesting one for one rear lot. This could be more attractive. Ms. Dean said that when home owners realize having a lot of outside space to care for is expensive and unworkable this could sound preferable. Mr. Benson said they have tried, but people do not seem to like the idea.

Mr. Porco suggested that although some conservation subdivisions he has seen are pleasant, others are horrible and tend to resemble barracks. Ms. Dean suggested the Commission look at developments close to Newtown. Some in Brookfield are very nice. Mr. Mulholland said that if they could find out the reason why developers do not like conservation subdivisions, putting it in writing, which would give the Commission something to work with. Ms. Dean read regulation 2.07 and wondered if it could be beefed up in some way to explain things. She and Mr. Bloom were both concerned about the remaining farms. Ms. Dean said that some Low Impact Development (LID) requirements could be incorporated into the conservation subdivision regulations.

Mr. Benson had spoken with Rob Sibley about the need for more open space regulations to show what can be done. Some regulations are too strict. The road ordinance says that P&Z has control over changes. Ms. Dean said there is a need for an overall statement about road width, curbing, etc. Mr. Poulin would like looser regulations but control through special exception. Mr. Cruzon thought special exception should be removed entirely.

Mr. Mulholland asked Mr. Benson if there was any way of limiting the size of houses under LID. Mr. Benson said it was a good idea but difficult to come up with a good number. Impervious percentages need to be considered rather than the size of the house.

Ms. Dean said they should read the study "Analysis of Open Space Conservation Subdivisions" prepared by Harrall-Michalowski Associates, April 2003. Mr. Benson will arrange to have copies distributed. One advantage of a conservation subdivision is it will curb the felling of trees on the open space.

Mr. Porco said there is a need for separation between septic and wells. Mr. Benson said that too many septic in one area can be problematic. He said that in Connecticut, sewage treatment systems that fail become the town's responsibility according to the DEP. Mr. Mulholland thought builders should be given incentives.

Ms. Dean suggested meeting with a few builders who have come before the Commission over the past five years. Mr. Benson will work on a list for review.

#### OTHER BUSINESS

Ms. Dean referred to a notice from Mr. Benson dated March 21, 2011 "Proposed Amendment of the Town of Newtown Zoning Regulations" Specifically 8.01.619.

Mr. Benson said the staff is tracking special event signs, which has worked out well. There has been a request to increase the temporary signs to six (6) for non-profit organizations. After a brief discussion, Ms. Brymer suggested that when it comes to a public hearing she would be interested in public comments, and any reasonable or legitimate objections should be discussed and considered. Mr. Porco suggested a meeting with various business owners. Ms. Dean reminded the Commission that more is allowed now than a couple of years ago. The matter was scheduled for public hearing at the July 7, 2011 meeting. A note was made that Mike Burton, SHOP of Sandy Hook is working on regulations of their own for future discussion and consideration.

#### LAND USE AGENCY DIRECTOR'S COMMENTS

Mr. Benson had nothing further to report

#### MINUTES

Mr. Poulin moved to accept the Minutes of May 19, 2011 with the following change:

Page 2 – Paragraph beginning "Sheldon Kahan. Fourth line down. Change: He is **responsible** for He is **concerned**.....

Seconded by Mr. Bloom. The vote was unanimously approved.

#### ADJOURNMENT

Mr. Pozek made a motion to adjourn. Seconded by Mr. Bloom. The vote was unanimously approved.

The meeting adjourned at 9:20 p.m.