

# MINUTES

## *Newtown Planning and Zoning Commission*

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

*Regular Meeting  
October 6, 2011*

Present: Ms. Dean, Mr. Poulin, Ms. Brymer and Mr. Mulholland. Alternates: Mr. Pozek, seated for Mr. Bloom, 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**

APPLICATION BY TOLL CT III LIMITED PARTNERSHIP FOR A SPECIAL EXCEPTION AND SITE DEVELOPMENT PLAN TO CONSTRUCT SIXTY-SEVEN (67) DWELLING UNITS IN TOWNHOUSE STYLE ARCHITECTURE AND ONE HUNDRED ELEVEN (111) CONDO/APARTMENTS IN SIX (6) LARGER BUILDINGS AND A CLUBHOUSE WITH AMENITIES AS SHOWN ON A CERTAIN SET OF DRAWINGS ENTITLED "WOODS AT NEWTOWN 12-16 POCONO ROAD & MT. PLEASANT ROAD (ROUTE 6), NEWTOWN, CONNECTICUT" DATED SEPTEMBER 14, 2011

Ms. Brymer read the call for the hearing.

Ms. Dean read the correspondence in the file, then asked to hear from the applicant.

Matt Renelli, Shipman & Goodman, Stamford, Connecticut explained the differences between this plan and the previous one approved last December. The Wetland permit is still in effect. However, they will present these revisions at the next Inland Wetland Commission meeting.

Tom Daly, P.E., Milone & MacBroom, Cheshire, Connecticut went through the plans, explaining what changes they are requesting. The overall plan is virtually identical to the previous one. The site will be served by public water and sewer. The storm water treatment has few changes.

Jack Lannamann, Toll Bros, described the architectural design of the buildings. They are all within regulations. Drawings and plans are available in the Land Use office.

Ms. Dean reminded the applicant that EH-10 requires living space to be all on one floor. Any planned second floor should be serviced by an elevator chair. She hoped that this is the last plan for this site to be presented to the Commission.

Mr. Renelli noted that a lot of effort has gone into these plans since December. They have kept within the regulations and considered this a better product. He asked to have the sales office tenure extended for another two years. They will clean it up and make it more presentable. There will be no dining facilities in the clubhouse. They agreed to walk the property with staff before dropping any trees.

Ms. Dean reminded him that a part of the approval was that the trees on Pocono Road would remain untouched.

Mr. Renelli went on to advise that they propose paving the emergency exit that will remain gated.

Mr. Daly will look into the handicapped parking for the clubhouse at Mr. Mulholland's request.

Ms. Dean asked to hear from the public.

Donald Lewis, member of the Board for Liberty of Newtown, right next door to the site had several concerns, including the sales office and water pressure. He asked if a traffic light could be installed.

Don Leonard, 28 Joelle Court, Newtown, was also concerned about the sales office.

Barbara Herman, 38 Joelle Court, Newtown, noted that a woodchipper ran all day both in 2008 and 2009. She was concerned about noise.

Ruby Johnson, 16 Chestnut Hill, Sandy Hook, commented on the interior. She suggested interior views should be considered.

Anthony Salvado, 19 Joelle Court, Newtown, was concerned about lights and trees.

Mr. Renelli responded. He was sympathetic with the concerns about the sales office. Once they were in possession the area will be cleaned up and maintained. They need the office to see the units. Once the units are sold this area will be returned to its original condition. He would be happy to sit down and discuss issues with the residents of Liberty. He felt it unlikely that a traffic light would be warranted.

Mr. Lannamann will discuss hours of operation with the Land Use office.

Responding to Ms. Herman's question, no marketing literature will mention Pocono Road. This is only part of the site description. The access road is for emergency vehicles only.

In response to a question from Mr. Salvado, Ms. Dean was reluctant to guarantee the two year limit for the sales office, due to the financial climate of the day. Should the applicant wish to extend the time, a public hearing will be scheduled to discuss it.

The hearing was closed at 8:51 p.m.

### **ACTION**

Ms. Brymer moved the following:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that the application by Toll CT III Limited Partnership for a special exception and site development plan to construct sixty-seven (67) dwelling units in townhouse style architecture and one hundred eleven (111) condo/apartments in six (6) larger buildings and a clubhouse with amenities as shown on a certain set of drawings entitled "Woods at Newtown 12-16 Pocono Road & Mt. Pleasant Road (Route 6), Newtown, Connecticut" dated September 14, 2011

SHALL BE APPROVED with the following conditions:

1. That the application is approved by the Inland Wetland Commission
2. That the Town Engineer and the Public Works Director are satisfied that the pump station that also serves the Homesteads will function properly.

BE IT FURTHER RESOLVED that the application is consistent with the purpose and intent of the town of Newtown Plan of Conservation and Development.

BE IT FURTHER RESOLVED that the Commission finds that the application meets the standards and criteria for a special exception as set forth in Section 11 of the Zoning Regulations and the application to be consistent with the zones.

BE IT FURTHER RESOLVED that this approval shall become effective on October 17, 2011.

Seconded by Mr. Mulholland.

Vote:	Ms. Dean	Yes
	Mr. Poulin	Yes
	Ms. Brymer	Yes
	Mr. Mulholland	Yes
	Mr. Pozek	Yes

Motion approved.

### **DISCUSSION AND POSSIBLE ACTION**

APPLICATION BY THE TOWN OF NEWTOWN PLANNING AND ZONING COMMISSION FOR A PROPOSED AMENDMENT TO ARTICLE VI, SECTION 3, SPECIAL DISTRICTS, FAIRFIELD HILLS ADAPTIVE REUSE (FHAR) ZONE FOR A RE-INTRODUCTION OF THE ORIGINAL 1998-2005 FHAR REGULATION THAT ALLOWED MULTIPLE FAMILY DWELLINGS AS PERMITTED USE #22 AND USE #22 AS NOTED IN A CERTAIN DOCUMENT ENTITLED "AMENDMENT TO ARTICLE VI – SPECIAL DISTRICTS, SECTION 3 – THE FAIRFIELD HILLS ADAPTIVE REUSE (FHAR)" DATED FEBRUARY 2, 2011

Ms. Dean noted that the survey showed that people were not interested in housing. There was some support for mixed use. Some would like to have housing for young people and retirees.

Mr. Cruson thought the survey indicates a contradiction with the Fairfield Hills Master Plan.

Mr. Porco thought the property should not be owned by the town, but sold. If leased, the town becomes liable.

Mr. Pozek said the site should be opened for a variety of uses. Leasing the property could be a possibility.

Mr. Poulin noted that the vast majority of residents want no housing. He would not go against their wishes.

Ms. Brymer was disappointed that the town failed to appreciate the Commission's dilemma regarding affordable housing.

Mr. Mulholland said that going back to the beginning, housing was always part of the Fairfield Hills plan. Now people do not want housing.

Ms. Dean said that what was appropriate then is not valid today. No plan has been presented. The survey showed that 78% of the respondents do not want housing. She suggested that the Commission wait for an application. There was some interest in residential over retail. Perhaps the Commission should look at housing on a smaller scale. The campus is looking faded. She hopes that other areas in town that have similar potential should be considered. She would like to revisit this again at the first meeting in December.

### **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".

Nothing discussed.

### **COMMUNICATIONS/CORRESPONDENCE**

**INFORMAL DISCUSSION WITH SHOP (SANDY HOOK ORGANIZATION FOR PROSPERITY) CONCERNING SIGN REGULATIONS FOR THE SANDY HOOK DESIGN DISTRICT.**

Michael, Burton, 107 Glen Road, Sandy Hook, representing SHOP distributed "Proposed Regulation Modifications in the Sandy Hook Design District" for A-frame signs.

The Commission discussed the modifications. There could be problems policing this. Ms. Dean suggested that this should be tried for one year, after which it will be revisited.

Mr. Benson said that these would be for special events only. He would like to add shopping centers if tried. He will work on something for the next meeting.

Mr. Porco said that Sandy Hook is unique and agreed to a trial run. Frames will be identical but the contents designed by the individual establishments.

Michael Curler, Sandy Hook Liquor, member of SHOP, supports this as it would help his business promoting different events.

#### DISCUSSION CONCERNING 105 CHURCH HILL ROAD, SANDY HOOK, CONNECTICUT

Mr. Benson noted that FIGS restaurant originally had 42 seats, then 22 seats added when they enclosed the side patio. There are 24 additional seats in a patio designed for summer use only. Recently another 24 patio seats were added. This makes 112 seats total. The available parking consists of 98 lots, including 60 spaces in Mike Burton's property. The parking in the church should be discussed with them. The owner agreed to put up directional signs for pick-up traffic. The Commission was satisfied with the parking.

#### LAND USE AGENCY DIRECTOR'S COMMENTS

Mr. Benson advised that someone is interested in purchasing the old plumber's lot on Washington Avenue only if it could come under SHDD. He will detail it for further discussion.

#### DISCUSSION CONCERNING OPEN SPACE CONSERVATION SUBDIVISIONS

To be discussed at a future meeting.

#### ADJOURNMENT

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

The meeting adjourned at 10:24 p.m