

MINUTES

Newtown Planning and Zoning Commission

SUBJECT TO APPROVAL

Land Use Office
Council Chamber
Primrose Street, Newtown, Connecticut

Regular Meeting

April 3, 2014

Present: Mr. Mulholland, Mr. Porco, Mr. Swift, and Mr. Mitchell. Alternates: Mr. Pozek seated for Mr. Corigliano, Mr. Ruhs and Mr. Taylor.

Also present: George Benson, Land Use Director

Clerk: Ms. Wilkin

The meeting was opened at 7.34 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

CHAIRMAN'S REVIEW

Mr. Mulholland advised that Ms. Lilla Dean, former Chair of the Commission, is doing well in hospital and is scheduled to be released April 18th.

PUBLIC HEARING

Application by Toll CT III Limited Partnership for a resubdivision for property located at 176 Mt. Pleasant Road, Newtown, Connecticut, as shown on a certain map entitled "Resubdivision Map Woods at Newtown Lot 2 and 3, 12-16 Pocono Road and 176 Mt. Pleasant Road (Route 6), Newtown, Connecticut" dated January 27, 2014, scale 1"=100', Assessor's Map 2, Block 5, Lot 31

Mr. Mitchell read the call for the hearing.

Mr. Mulholland read the correspondence in the file and asked to hear from the applicant.

Robert Hall, Esq., 43 Main Street, Newtown, Connecticut, representing the applicant noted that a report requested by Mr. Benson was approved. The application is to allow the lot, currently split between EH and BPO zones to come under one BPO zone. With the use of a map obtained by the GIS and land use departments he explained the lot in question. He also distributed an 8x11 segment of the map. He had a note from Mr. Benson reflecting the responses from staff. No-one had a problem with the application. They are requesting a waiver under 4.14.300, 310 and 320. He stated that property across Route 6 from the Bethel line to Route 25 has never been residential. Answering a question from Mr. Mitchell, he indicated where the easement is.

Mr. Mulholland made a motion to approve the request for a waiver. Seconded by Mr. Mitchell. The vote was unanimously approved.

Mr. Hall stated that there are no current plans to develop this site. However, if joined as BPO it would be a logical place for a medical office.

Mr. Mulholland asked to hear from the public.

Don Leonard, 38 Joal Court, Liberty of Newtown, Newtown, Connecticut, current president and long standing member of the Liberty Board was skeptical due to the history of the site. He wanted to ensure that there were no hidden elements. Although the area where the sales trailer was located, was promised to be returned to its natural state, nothing has been done. He would like Toll CT to honor this agreement before proceeding.

Mr. Hall stated that originally he was unaware of the previous owner's promise to restore the site.

Jack Lanaman, Division President, Toll Bros, Newtown, Connecticut added that there was no mention of restoring the site to its natural site when the trailer was removed.

Mr. Mulholland stated that when a proposal is filed, the Commission will have to take a serious look at what to do to protect residents at Liberty. The conservation easement should be kept intact.

The hearing was closed at 8:07 p.m.

Mr. Mitchell read the following:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that the application by Toll CT III Limited Partnership for a resbdivision for property located at 176 Mt. Pleasant Road, Newtown, Connecticut, as shown on a certain map entitled "Resubdivision Map Woods at Newtown Lot 2 and 3, 12-16 Pocono Road and 176 Mt. Pleasant Road (Route 6) Newtown, Connecticut" dated January 14, 2014, scale 1" = 100', Assessor's Map 2, Block 5, Lot 31

SHALL BE APPROVED

BE IT FURTHER RESOVED that the application is consistent with the Subdivision Regulations and BPO zone.

BE IT FURTHER RESOLVED that this approval shall become effective on April 14, 2014.

After a brief discussion Mr. Swift made a motion to approve the above. Seconded by Mr. Porco.

Vote:	Mr. Mulholland	Yes
	Mr. Porco	Yes
	Mr. Swift	Yes
	Mr. Mitchell	Yes
	Mr. Pozej	Yes

Motion approved.

MANDATORY REFERRALS

Mandatory referral from the Town of Brookfield Zoning Commission under CGS 8-3 for a proposed amendment to the Town of Brookfield zoning regulations pertaining to Design Guidelines in the incentive Housing Zone.

Mr. Mulholland explained that Brookfield wants to change their high density regulations. This would have no impact on Newtown. The Commission agreed that he should write a letter to Brookfield advising them that the Newtown Planning and Zoning Commission has no problem with the change.

Mandatory referral from the Town of Monroe Planning and Zoning Commission under CGS 8-7d(f) for a proposed amendment to the Town of Monroe Zoning Regulations concerning banks in B-1 and B-2 districts.

Mr. Mulholland explained that Monroe wants a text change in their regulations adding drive through windows for banks. This would have no impact on Newtown. The Commission agreed that he should write a letter to Monroe advising them that the Newtown Planning and zoning Commission has no problem with the change.

COMMUNICATIONS AND CORRESPONDENCE

Land Use Director's Comments

Mr. Benson asked the Commission to go through the material from Stop & Shop for Pick-Up service. Does the Commission wish to discuss it at an upcoming meeting or would they prefer it to be handled administratively. The Commission agreed that if Stop & Shop comes in with a site approval plan showing the pick-up containers on the side of the building they might consider it. They would not like them located in front.

Mr. Benson said that the Commission has to decide whether to amend the regulations in industrial zones to include warehouse, or wait till an application comes before the Commission and change the regulations at that time. It was suggested that should The Economic Development Committee (EDC) want the change, they should come before the Commission with their argument.

Minutes

Mr. Pozek made a motion to approve the Minutes of March 20, 2014 as submitted. Seconded by Mr. Porco. The motion was unanimously approved.

ADJOURNMENT

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

The meeting adjourned at 8:44 p.m.