

MINUTES

Newtown Planning and Zoning Commission

SUBJECT TO APPROVAL

Land Use Office
Council Chamber
Primrose Street, Newtown, Connecticut

Regular Meeting
November 20, 2014

Present: Mr. Mulholland, Mr. Mitchell, Mr. Porco, Mr. Swift and Mr. Corigliano. Alternates: Mr. Pozek, Mr. Taylor and Mr. Ruhs
Also present: George Benson, Director of Planning
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

CHAIRMAN'S REVIEW

MANDATORY REFERRALS

Mandatory referral from the Borough of Newtown under CGS 8-24 for application of Newtown Hook and Ladder Company No. 1, Inc. for special exception approval for construction of fire station building at rear portion of Trinity Church Property, Church Hill Road

This referral is submitted because this Commission is responsible for planning in the Borough. This is a 3.2 acre site at 12 Church Hill Road, which is the busiest location in town. They have a fleet of five vehicles: four apparatus and one truck. This allows for future expansion. After a brief discussion the Commission had no problems with this referral. Mr. Mulholland will write a letter to the Borough advising them.

Application by the Town of Newtown for three (3) EPA cleanup grants:

28A Glen Road, Sandy Hook, Connecticut
7 Glen Road, Sandy Hook, Connecticut
48 Mile Hill Road (Shelton House) Fairfield Hills Campus, Newtown, Connecticut

Tammy Pressler from the Land Use office was present to answer any questions. The Commission had no problems with this.

Mandatory referral from the Borough of Newtown under CGS 8-24 for proposed amendments to Articles 4, 6, 7 and 8 of the Borough of Newtown Zoning Regulations

Mr. Mitchell explained the request”

Article 4 – refers to outside dining in shopping centers

Article 6 – Relocating historic district signs

Article 7 – On-street parking facilities being included in business calculations

Article 8 – Provision for hospitals as a special use has been eliminated.

Regulation 7.07 – street trees should be species that can survive the New England climate
New regulation 8.01 regarding alcohol outlets near schools and churches would exempt cafes.

After a brief discussion the Commission had no problems with these referrals. Mr. Mulholland will write a letter to the Borough advising them.

PUBLIC HEARINGS

Application by KASL and IBF for a twenty-three lot subdivision as shown on a certain set of maps entitled “The Preserve at Newtown Open Space Conservation Subdivision, 16, 19 Robin Hill Road, Scudder Road and 168 Sugar Street, Newtown, Connecticut” dated July 22, 2014 and revised October 3, 2014

The hearing was opened at 7:56 p.m.

Mr. Mitchell read the call for the hearing.

Mr. Mulholland read the correspondence in the file, including a request for a waiver regarding sidewalks. Mr. Mitchell noted that it appears that only a few units would be on streets where sidewalks would be required. Mr. Benson added that this only applies to conservation subdivisions. The motion was seconded by Mr. Mitchell. The vote was held off till the end of the presentaion.

Mr. Mulholland asked to hear from the applicant.

Francis Collins, Esq., Collins, Hannafin, P.C., 148 Deer Hill Avenue, Danbury, Connecticut described the property noting that the open space would be deeded to the Town of Newtown.

George Trudell, 48 South Main Street, Newtown, Connecticut, authorized agent for the applicants gave a brief history of the property, noting that the property abuts the Ferris easement property, which would make it a good location for a conservation easement. The details of this application can be found in a document submitted at the meeting for the file entitled “The Preserve at Newtown” – “Open Space Conservation Subdivision Supplemental Materials November 20, 2014.

Daniel Kroeber, P.E., Mione & MacBroom, 99 Realty Drive Cheshire, Connecticut went through the design of the subdivision using a pinpoint presentation. They have an erosion control report, traffic report (even though one is not required), drainage and hydrologist report. 50% of the property is committed to open space. The houses would be clustered together on lots ranging between 1.5 and 2 acres. The storm drainage meets town requirements. Answering a question of Mr. Mulholland, the turn around on the road meets town requirements. There would be two parking spaces off the turn-around for people wishing to access the open space. They plan on keeping as many of the larger trees as possible. All sight lines have been approved. According to the hydrologist, there is sufficient water in the aquifer to meet standards.

Mr. Mulholland asked to have open space and property markers staked. Once done the Commission will walk the property before taking action at a future date.

A recess was called at 9:24 p.m.

The meeting reconvened at 9:34 p.m.

Mr. Mulholland asked to hear from the public.

Dorothy and Cliff McCarthy, 24 Rock Ridge Road, Newtown, Connecticut already have water problems and would like protection against it getting any worse.

Gene Eames, 10 Ferris Road, Newtown, Connecticut was opposed to the application. Rather than submit comments of a neighbor who could not attend this meeting. It was suggested he return in person when the meeting is continued.

Joanne Sherwood, 58 Robin Hill Road, Newtown, Connecticut was concerned about long-term construction noise and traffic. She hoped it would not change the character of the area.

Erich Gersch, 8 Ferris Hill Road, Newtown, Connecticut was concerned about water loss

Bob Rasmussen, 55 Scudder Road, Newtown, Connecticut would like to see the recently abandoned Robin Hill Train on the property retained as a trail. He asked for verification that this property could accommodate a standard subdivision.

Mr. Mulholland suggested he go to the Land Use office for verification. A standard subdivision would reduce the amount of open space.

Laura Terry, 64 Robin Hill Road, Newtown, Connecticut was concerned about home value and maintaining the integrity of the neighborhood. She did not like the idea of off street parking. She asked if the power lines could be constructed on the opposite side of the road.

Robert Zupcoe, 5 Ferris Road, Newtown, Connecticut was concerned about the water, traffic and lot dimensions.

Mr. Mulholland suggested that people with questions like this go into the Land Use office, where all the information is.

The hearing was continued.

COMMUNICATIONS AND CORRESPONDENCE

Land Use Agency Director's comments

- Discussion of proposed Incentive Housing Zone regulation.

Peter Scalzo, Esq., 2 Stony Hill Road, Bethel, Connecticut and Timothy Hollister, Esq., Shipman & Goodwin, One Constitution Plaza, Hartford, Connecticut joined the discussion.

ADJOURNMENT

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

The meeting was adjourned at 11:10 p.m.