

MINUTES

Newtown Planning and Zoning Commission

SUBJECT TO APPROVAL

Land Use Office
Council Chamber
Primrose Street, Newtown, Connecticut

Regular Meeting
July 17, 2014

Present: Mr. Mulholland, Mr. Mitchell, Mr. Swift and Mr. Corigliano. Alternates: Ruhs seated for Mr. Porco, Mr. Pozek and Mr. Taylor
Also present: George Benson, Land Use Director
Clerk: Ms. Wilkin

The meeting was opened at 7.35 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 updated the Commission on Ms. Dean's condition, which is considerably improved.

MANDATORY REFERRAL

Mandatory referral from the Town of Easton Planning and Zoning Commission per CGS 8-7d. for a proposed amendment to the Town of Easton Zoning Regulations at Section 7.2.1 'APPLICATION FOR SPECIAL PERMIT'

Mr. Mulholland advised that the town of Easton wants to re-write their special permit regulations. This was considered a straightforward application with no effect on the Town of Newtown. Mr. Mulholland will write to the Easton Planning and Zoning Commission that this Commission unanimously had no problem with the proposed amendment.

DISCUSSION AND POSSIBLE ACTION

Request by Larry Edwards, P.E., for waiver of requirement of an archeological study of proposed subdivision at 20 Head O' Meadow Road, Newtown, Connecticut under Section 4.15.300 of the subdivision regulations

Mr. Benson explained the facts of the site. Architectural reviews are usually required for larger subdivisions. Due to the fact that this is only two lots, one of which already has an existing house on it a review was considered unnecessary. No artifacts were found when the original subdivision was developed. The Commission has the right to override this regulation.

Mr. Mitchell made a motion to approve the application by Larry Edwards, P.E., for waiver of requirements of an archeological study of proposed subdivision at 20 Head O' Meadow Road, Newtown, Connecticut under Section 4.15.300 of the subdivision regulations. Seconded by Mr. Corigliano. The vote was unanimously approved.

PUBLIC HEARING

Application by Summit Properties Group to amend a special exception to change second floor office space to residential space for property located at 146 South Main Street, Newtown, Connecticut. Assessor's Map 36-2, Block 53, Lot 54

The hearing was opened at 7:45 p.m.

Mr. Mulholland read the correspondence in the file. It was noted that the original special exception was approved on February 20, 2014.

Mr. Mitchell read the call for the hearing.

Mr. Mulholland asked to hear from the applicant.

John Reyes, representing Summit Properties Group, 144 East Avenue, Norwalk, Connecticut explained the rationale behind the proposed amendment. They considered it more fiscally prudent to change the upper floor of the building from commercial to residential because it would be easier to lease if residential. The commercial property would have parking in the front of the building and the residential parking in the rear. The parking lot lighting would not change from the original application except for entrance lights on the building. The Health Department has to give final approval of the septic system, the result of which would decide if there will be eight or ten units. They are looking for only three or four commercial tenants and most deliveries would be from the front of the building. There are no changes to the approved plan other than this change from commercial to residential.

Proof of mailing to abutters was submitted and added to the file.

Mr. Mulholland asked to hear from the public.

James Higginbotham, 10 Cedar Hill Road, Newtown, Connecticut asked the Commission to consider the noise, traffic and effect on the neighbors.

Mr. Mulholland advised that traffic would probably be worse if the entire building were commercial.

Steve Ugolic, 11 Cedar Hill Road, Newtown, Connecticut would like to keep things as they are. Keep it B-2 zone. His concern was impact on the neighborhood, traffic and schools. He does not welcome apartments.

Clinton Stephens, 17 Cedar Hill Road, Newtown, Connecticut concurred with the previous speaker.

Mr. Mulholland did not think the size of the apartments would be conducive to school age children.

Mr. Reyes wants to be able to develop the property. They plan on being good neighbors.

Mr. Benson advised that this is residential next to residential. No traffic studies are required for residential properties. This is a permissible use in this zone.

The hearing was closed at 8:12 p.m.

DISCUSSION AND/OR ACTION

Mr. Mitchell read the following:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that the application by Summit Properties Group to amend a special exception to change second floor office space to residential space for property located at 146 South Main Street, Newtown, Connecticut. Assessor's Map 36-2, Block 53, Lot 54

Meets the standards and criteria for a special exception as set forth in Section 11 of the Newtown Zoning Regulations.

That the application is consistent with the B-2 zone and the purpose and intent of the town of Newtown Plan of Conservation and Development

And that said application shall be approved subject to approval by the health Department for the septic system, effective on July 28, 2014

Mr. Mulholland moved to approve the above. Seconded by Mr. Ruhs.

Mr. Mulholland advised those not familiar with the background of South Main Street and the desire to develop while maintaining the character of Newtown. He did not think this would interfere with the neighbors. There are plans to have an eight or ten foot fence and the back as a buffer. This depends on the neighbors' preference. There is a need for apartments in Newtown. Traffic should be reduced at this particular site.

Mr. Mitchell did not think there would be children in these apartments, adding that this is one of the projects that is exactly what is desired. It will also give the developer a better chance of financing.

In answer to Mr. Swift's question, Mr. Benson said the Commission does not get involved with home values. He added that this is what they have been looking for. He considered it a good concept, adding that the market for small offices has declined.

Vote:	Mr. Mulholland	Yes
	Mr. Mitchell	Yes
	Mr. Swift	Yes
	Mr. Corigliano	Yes
	Mr. Ruhs	Yes

Motion approved.

COMMUNICATIONS AND CORRESPONDENCE

Land Use Director's Comments

Mr. Benson reminded the Commission of the special meeting on July 31, 2014. If not already done, he suggested that commissioners familiarize themselves with the project before the meeting. The matter comes before the Wetland Commission next week. Rob Sibley will be available to explain their decision at the hearing.

Minutes

Mr. Mitchell made a motion to approve the Minutes of June 19, 2014 as submitted. Seconded by Mr. Taylor. The motion was unanimously approved.

ADJOURNMENT

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

The meeting adjourned at 8:44 p.m.