

**BOROUGH OF NEWTOWN
NEWTOWN, CONNECTICUT**

Minutes of the Annual Meeting of the Borough of Newtown Board of Burgesses on Tuesday,
September 10, 2019 at Edmond Town Hall, Newtown. Warden Jay Maher called the meeting to
order at 7:33 p.m.

Present:, Warden Jay Maher, Senior Burgess Betsy Kenyon, Second Senior Burgess Chris
Gardner, Burgess Anthony Baiad, Burgess Bill Lucas, Burgess Bill Eder, Burgess James Gaston,
Treasurer Paula Brinkman, Tax Collector Jodie Enriquez, Tree Warden Rob McCulloch and
Clerk Ann Scaia.

Absent: None

Also Present: Ten members of the public.

Warden Maher identified the annual reports submitted by the following
departments/commissions: Health, Engineering, Conservation, Fire Marshall, Historic District,
Zoning Commission, and Zoning Board of Appeals. An annual report from the Building
Department was not received by the time of the annual meeting.

Warden Maher asked that the Board look over the reports and asked if there were any questions. He thanked the Board, Commissions, and Sub-Committees for all their hard work. Highlights of the reports include the Department of Health noted the 2018-2019 Flu season was characterized as a high severity season across all age groups. The Fire Marshal's office conducted 3 school inspections, 2 Day Care inspections, 20 inspections at St. Rose, 48 inspections at the Church Hill Village and 107 inspections at business and professional buildings. The Zoning Commission noted in the case of Grossman vs. Borough Zoning Commission et al, the appeal of decision of BZC for approval of 29 single family detached homes located at 41, 43, 45 and 47 Mt. Pleasant, the court found in favor of the defendant. The Historic District approved 2 applications. The first being for Christopher A. Hottois, Flint Ridge Development, LLC, for 33 Main Street, to enclose of the West Street patio on the main building with the quality of materials to match the existing building. The second was for John and Valerie O'Sullivan for renovations to 77 Main Street. The Zoning Board of Appeals noted there were no applications for variances and the Conservation Director, who also acts as the Borough Zoning Enforcement Official outlined 22 site plan reviews, 41 site inspections and 5 violation inspections as it relates to Inland Wetlands. He also conducted 39 site plan reviews and 18 site design meetings as it relates to Borough Planning and Zoning. The Zoning Commission also noted the receipt of building fees for approximately \$47,124.00 were collected for 2018-2019.

Senior Burgess Kenyon made a motion to accept the annual reports, seconded by Burgess
Baiad and unanimously approved.

There being no further business, Burgess Gaston made a motion to adjourn the Annual Meeting at 7:36 p.m., seconded by Burgess Lucas and unanimously approved.

Respectfully submitted,

Ann Scaia
Borough Clerk

***Borough of Newtown
Zoning Commission
Newtown, Connecticut 06470***

August 20, 2018

Jay Maher, Warden
Borough of Newtown
P.O. Box 164
Newtown, CT 06470

Re: Annual Report for Borough of Newtown Zoning Commission

Dear Warden Maher:

In response to your recent letter, I submit the following information regarding the period July 1, 2018 through June 30, 2019:

- Regarding Robert Grossman v. Borough Zoning Commission, et al (appeal of decision of BZC for approval of 29 single family detached homes located at 41, 43, 45 and 47 Mount Pleasant), the court found in favor of the Defendant.
- At the April 10, 2019 meeting, there was a public hearing held on the BZC's application for proposed changes to the zoning regulations regarding the following: (a) changes to historical buildings existing prior to zoning; (b) building information on awnings; (c) parking areas in setback areas; (d) updated list of site plan development documents required; (e) definitions for building height, lot coverage, parking area, setback and structure; (f) sign regulations; (g) table of specific requirements for buildings and plots; (h) sidewalk requirements; and (i) clerical errors. The proposed changes, as amended, were approved at this meeting. A copy of the approved changes are attached to this letter.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,

Doug Nelson

Douglas Nelson
Chairman

/mco

c: Rob Sibley, Borough ZEO

Final Borough Regulation Changes

Approved at April 10, 2019 Meeting

Effective April 22, 2019

2.16.E should be moved to 2.18.A

2.08.A add new paragraph "HEIGHT, BUILDING, DWELING, OR OTHER STRUCTURES - the vertical distance from the average finished ground level, measured 10 feet from the building, dwelling, or other structure footprint to the highest point of the structure."

2.12.D add new paragraph "LOT COVERAGE - the entire area of a lot covered by buildings, storage, loading, impervious surfaces, driveways, sidewalks and parking areas."

2.16.A add new paragraph "PARKING AREA - an authorized off-street area not within a building where motor vehicles are stored for the purpose of temporary, daily or overnight off-street parking."

2.18.A add new paragraph "SETBACK - the horizontal distance from any street line or lot line to any structure, measured in a straight line from and perpendicular to such street or lot line."

2.18.P replace with "STRUCTURE - shall mean anything constructed whether or not the resulting structure is raise above ground. It may be constructed of natural or artificial material. Structures shall include without limitation, swimming pools, tennis courts, garages, and parking areas."

4.04. replace with " PROVISIONS OF GENERAL APPLICATION

A. No business, commercial restaurant or professional use shall contain less than 800 square feet.

B. No discrete business, commercial, restaurant or professional building shall contain more than 6,500 square feet of gross floor area."

4.04.C add new paragraph "C. A building greater than 6,500 square feet of gross floor area and existing prior to the adoption of these regulations, shall be allowed to increase its gross floor area by no greater than ten (10) percent provided that:

1. The existing building footprint is not increased and, if the existing part of the building to be increased in gross floor area is within the required or pre-existing setback, the setback non-conformance shall not be increased, and

2. The increased gross floor area is required for an existing use in said building, and

3. There has been no previous gross floor area increase."

4.11.D. Delete entire paragraph. Outside sales, displays and storage.

Para 5.04.G TABLE OF SPECIFIC REQUIREMENTS FOR BUILDINGS AND PLOTS

Replace Percentage of lot area b. with "b. Buildings, storage, loading, impervious surfaces, driveways, sidewalks and parking areas."

Para 6.07.C.2. Replace last sentence with "The information on a wall or hanging sign, not to exceed (4) square feet, may be placed on an awning provided that a wall or hanging sign is not placed on the building. The wall sign, hanging sign, and signage on the awning shall be compatible with the distinctive character and architecture of the building."

Para 6.07.D.1.b. Replace last sentence with "Up to (4) square feet of the wall or hanging sign allowance may be placed on an awning and will be included in the total sign allowance. The wall sign, hanging sign, and signage on the awning shall be compatible with the distinctive character and architecture of the building."

6.07.F. replace with "For Municipal buildings and Municipal uses (in a residential zone), signage allowances of 6.07.C.1 shall apply for one free standing sign, . . ." rest of paragraph is unchanged.

Para 7.04.A. Add to existing paragraph "Parking spaces are permitted within a setback area provided that:

1. The parking spaces were in existence or approved prior to the inception of this amendment, or
2. The parking spaces are to the rear of the lot or building so as to minimize the visibility from the street, and
3. The parking spaces are no closer than 20 feet from a street line, and
4. The parking spaces are allowed only to the extent of meeting the minimum parking requirements. Parking within the setback shall be minimized to the maximum extent possible, and
5. The parking spaces abutting a residentially zoned property comply with the buffering requirements of 7.09.A.3 of these regulations unless 7.04.A.1 applies.
6. The parking spaces for Assisted Living Facilities comply with section 4.08.G of these regulations.

7.11 SIDEWALK REQUIREMENTS delete entire paragraph.

8.04.F.1 delete last sentence in bold "**Such conditions may include...the issuance certificate of occupancy.**"

10.00.D.14. replace with "14. The percentage of building coverage and lot coverage."

10.00.D.19 add new paragraph "19. If filed with a Village District application, a block face drawing in accordance 12.F.5 Streetscapes."

10.00.E. replace with "E. In addition, the Commission shall receive the following:

1. A statement from the Fire Marshall on firefighting feasibility of the proposed development, recommendations and/or approval.
2. An inland/wetlands license from the Conservation Commission, if required.

3. A statement from the Borough Engineer detailing recommendations and/or approval.

4. Approvals from the Water/Sewer Authority and Aquarion if required by the Commission and are normally obtained as a stipulation detailed in the Commission's approval of the application.

5. A statement from the Police Department detailing recommendations and/or approval.

6. A statement from the Conservation Director detailing comments, recommendations and/or approval.

7. A statement from the Health Department on the water and wastewater disposal needs of the development, recommendations and/or approval.

8. A statement from the Planning Commission that the application is in accordance with the Town of Newtown Plan of Conservation and Development.

9. A report from the Village District's consultant per 12.05A if required."

12.05.A replace with "All applications for new construction and substantial reconstruction within the District and in view from public roadways may be subject to a referral, at the discretion of the Borough of Newtown Zoning Commission, to an architect or . . ." rest of paragraph is unchanged.

12.07.3.c replace with "c. For all new construction and substantial reconstruction of buildings in the Village District, sidewalks are to be installed along the street frontage and through access ways. The Borough Sidewalk Ordinance is on file with the Borough Clerk and with the Newtown Town Clerk and sidewalk lighting is to be installed in accordance with the Village District Sidewalk Lighting Plan. Sidewalks must continue across driveways clearly designating the pedestrian's right of way. Sidewalk lighting is to be installed in accordance with the Village District Sidewalk Lighting Plan."

7.11 SIDEWALK REQUIREMENTS

8.04.F.1 delete last sentence in bold "Such conditions may include . . . the issuance of certificate of occupancy."

10.00.D.14. replace with "14. The percentage of building coverage and lot coverage."

10.00.D.18. add new paragraph "18. If filed with a Village District application, a block face drawing in accordance 12.F.5 Streetscapes."

10.00.E. replace with "E. In addition, the Commission shall receive the following:

1. A statement from the Fire Marshal on firefighting feasibility of the proposed development recommendations and/or approval.

2. An intertidal license from the Conservation Commission.

required.

***Borough of Newtown
Zoning Board of Appeals
Newtown, Connecticut 06470***

August 12, 2019

Jay Maher, Warden
Borough of Newtown
Post Office Box 164
Newtown, Connecticut 06470

Re: Annual Report for Borough of Newtown Zoning Board of Appeals

Dear Warden Maher:

During the period July 1, 2018 through June 30, 2019, there were no applications submitted to the Zoning Board of Appeals for requests for variances.

Should you need anything else, please do not hesitate to contact me.

Very truly yours,

John

John Madzula
Chairman

/mco

c: Rob Sibley, Zoning Enforcement Officer

Conservation Director / Zoning Enforcement Official

Annual Report for the Borough of Newtown

2018 - 2019

The Conservation Director for the Borough of Newtown acts as the agent for the Inland Wetlands Agency, Aquifer Protection Agency, and Forest Practices Agency. The Director also staffs the Conservation Commission and serves the Borough Zoning as the staff environmental planner. The Conservation Director is also responsible for federal reporting and local regulations for flood plain management.

A summary of the actions of the Agent and the commissions in the Borough of Newtown during this past year:

I. Inland Wetlands –

- Agent

- 22 Site Plan Reviews
- 41 Site Inspections
- 5 Violation Inspections

- Commission

- 3 permit approvals
- 0 permit denials
- Amount of wetlands for alteration – 0.0 Acres
- Amount of linear stream for alteration – 0F
- Amount of created wetlands for mitigation – 0.0 Acres

II. Borough Planning/Zoning –

- Agent

- 39 Site Plan Reviews
- 18 Site Design Meetings

III. Flood Plain –

- Agent

- 11 Site Plan Reviews
- 18 FEMA Reviews
- 16 Meetings with DEEP/FEMA on municipal responsibilities

Respectfully Submitted,

Robert Sibley
Conservation Director / ZEO, Borough of Newtown

August 27, 2019



Ann Scaia <annscaia22@gmail.com>

BZE Receipts

paula brinkman <paulabnyc1@aol.com>
To: Ann Scaia <annscaia22@gmail.com>
Cc: Rob Sibley <rob.sibley@newtown-ct.gov>

Tue, Sep 10, 7:48 AM

Ann,

Per your request, here are totals collected from BZE during fiscal year 2018-2019.

Building fees: \$47,124.03

D.E.E.P. : \$480.00

ZBA Appeals: \$210.00

Tag Sales: \$30.00

Sign Fees: \$160.00

Miscellaneous: \$185.38

TOTAL: \$48,189.41

BOROUGH OF NEWTOWN
NEWTOWN, CT 06470

August 2, 2019

Ann Scaia
Borough Clerk
Borough of Newtown
P.O. Box 164
Newtown, CT 06470

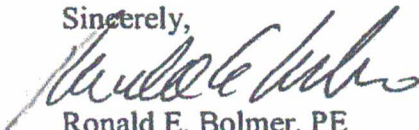
RE: Annual Report

Dear Ms. Scaia:

In the past year I have been involved with the following:

1. Continuing construction designs and inspections for various projects. These designs and inspections include road/drainage projects as well as driveways and development sites.
2. Assist various agencies and property owners with determining road right of ways and property lines.
3. Assist property owners in determining where sewer lines and laterals are located as well as other public utilities. Issue permits to homeowners and public utility companies in order to tie into or install utilities in the Town right of way.
4. Continue to investigate road and drainage complaints from homeowners. Work with the Public Works Department in resolving these issues.
5. Engineering reviews and inspections for various development projects. These include the Lexington Garden project, the Saint Rose Site Development Plan, the Assisted Living Facility on Church Hill Road and The Boulevard and the sidewalk project.

Sincerely,



Ronald E. Bolmer, PE
Borough Engineer



TOWN OF NEWTOWN

ANNUAL REPORT BOROUGH OF NEWTOWN JULY 1, 2018 TO JUNE 30, 2019

During the past fiscal year the following activities were conducted by the Fire Marshal's Office

03	School Inspections
02	Day Care Center Inspections
08	Churches and Church Building Inspections
20	St. Rose Church – Construction Inspections- Site Plans review, Building plans review and Site Inspections
48	Church Hill Village Construction inspections-Site Plan, Building Plan Reviews, Site inspections
15	Lexington Garden- Tenant Fit outs-Plan Review-Building Inspections
01	Group Home Inspection
107	Business and Professional Building Inspections
06	Open Burn Permits

A handwritten signature in cursive script, appearing to read "Rich Frampton", is written over a horizontal line.

Richard Frampton, Fire Marshal
August 2, 2019

Report of Activity for the Period of July 1, 2018 to June 31, 2019

Borough of Newtown Historic District

*The Borough of Newtown
Historic District Commission*

Newtown, Connecticut

Est. 1996

August 30, 2019

Elizabeth Shapiro
Interim Director of Culture
Director of Operations, Preservation and Museums
One Constitution Plaza
Hartford, CT 06103

Re: Borough of Newtown Historic District Annual Report of Activity

Dear Ms Shapiro,

Enclosed please find the Report of Activity for the Borough of Newtown Historic District for the period July 1, 2018 to June 30, 2019. A full list of Commission members, alternates, and consultants follows.

Please contact me if you have any questions regarding this report or if you require my assistance with any matters pertaining to the Borough of Newtown Historic District.

Regards,

Mark P. Poirier
Secretary
Borough of Newtown Historic District Commission
53 Main Street
Newtown, CT 06470
(203) 270-9916
markppoirier@hotmail.com

cc: Ann M. Scaia, Borough Clerk

Report of Activity for the Period of July 1, 2018 to June 31, 2019
Borough of Newtown Historic District

Regular Business:

- The commission held 2 public hearings during this 12-month period:
 - January 24, 2019
 - Christopher A. Hottois, Flint Ridge Development, LLC, for 33 Main Street: to enclose the West Street patio on the main building, the quality of materials to match the existing building.
 - The application was approved as presented in the application.
 - September 5, 2018
 - John and Valerie O'Sullivan for renovations to 77 Main Street, including: business signs in front of and on the building, repaving the parking lot, and replacement of front doors
 - The application was approved as presented in the application.

Report of Activity for the Period of July 1, 2018 to June 31, 2019

Borough of Newtown Historic District

*The Borough of Newtown
Historic District Commission*

Regular Commission Members

Chair, Stephanie A. Gaston

18 Main Street
Newtown, CT 06470
203-426-2500

Fifth Term 07/15 – 07/21

Secretary 07/96 – 07/98

Chair 07/98 – present

Vice Chair, Betsy S. Kenyon

62 Main Street
Newtown, CT 06470
203-426-5709

Fifth Term 07/16 -07/21

Vice Chair 07/96 – present

Secretary, Mark P. Poirier

53 Main Street
Newtown, CT 06470
203-270-9916

Secretary 07/07 – present

Fourth Term 07/18 – 07/23

Charles Fulkerson

8 Currituck Road
Newtown, CT 06470
203-270-8492

Fifth Term 07/17 – 07/22

Ellen Whalen

65 Main Street
Newtown, CT 06470
203-426-6425

Third Term 07/14 – 07/19

Alternate Commission Members

Karen Boyle

53 Main Street
Newtown, CT 06470
203-270-9916

Third term 7/18 – 7/23

Vacancy

Consultants

Daniel Cruson

174 Hanover Road
Newtown, CT 06470
203-426-6021

Newtown/Borough Historian

Scudder Smith

57 Elm Drive
Newtown, CT 06470
203-426-4882

History/Research

James O. Gaston

18 Main Street
Newtown, CT 06470
203-426-2500

Legal