



TOWN OF NEWTOWN
PLANNING & ZONING COMMISSION
MINUTES

Regular Meeting
Council Chambers, 3 Primrose Street
October 19, 2017, 7:30 P.M.

Present: Mr. Mulholland, Mr. Mitchell Mr. Swift, Mr. Corigliano, Ms. Cox, Mr. Meadows and Ms. Manville

Also Present: George Benson, Director of Planning

Mr. Mulholland opened the meeting at 7:32 PM.

Discussion and Possible Action Items

Application 17.15 by the **Catherine Violet Hubbard Foundation, Inc.** for a Zoning Amendment to the Newtown Zoning Regulations to include the Animal Sanctuary Design District (ASDD) as shown in documents titled “Animal Sanctuary District” Footnote: V5-1 160128 and “Consistency of the Catherine Violet Hubbard Animal Sanctuary Use to the 2014 Newtown Plan of Conservation and Development”, received to the Land Use Agency on September 20, 2017

Mr. Mitchell read the call for the hearing. Mr. Mulholland asked to hear from the applicant. Phil Hubbard, P H Architects, LLC, introduced himself and his team; Peter Paulos, his business partner and Gail McTaggart of Secor, Cassidy and Mc Partland joined Mr. Hubbard at the table. Mr. Hubbard explained the scope of the project to the Commissioners and how the plan has come together after four years of design. He submitted the mailers which contained information regarding all three public hearings. He also mentioned the Inland Wetlands approval.

Ms. McTaggart began to explain her research for creating the Animal Sanctuary Design District (ASDD). She used the POCD and Fairfield Hills Adaptive Reuse zoning regulation as references throughout her process. Ms. McTaggart created a report to show how the ASDD fits in to the POCD. The regulations covers many things like a veterinarian office, library space, limited retail, a café and spaces for workshops and seminars. She said the main theme of the zone is to prevent any intense use of the property.

Commission members thought it would be best to run the second Application hearing tandem, so Mr. Mitchell read the following call:

Application 17.16 by the Catherine Violet Hubbard Foundation, Inc. for a property located at Old Farm Road, Newtown, CT, for a Zone Map Change from M-5 to the Animal Sanctuary Design District (ASDD) as shown in a document received to the Land Use Agency on September 20, 2017.

Ms. McTaggart said that the proposed regulation was created specific to this parcel of 33+ acres on Old Farm Road. The current zone is M-5. The applicants requested a Zone Map Change to the ASDD to promote community use in a way that continues the historic agricultural use.

The Commission members noted how thorough the application was and complimented the team on their efforts. Mr. Mulholland opened the hearing up to the public. No public participated. At 7:55 both hearings were closed by motion of Mr. Mulholland, and seconded by Mr. Mitchell.

Mr. Mitchell made a motion: BE IT RESOLVED by the Newtown Planning and Zoning Commission that Application 17.15 by the Catherine Violet Hubbard Foundation, Inc. for a Zoning Amendment to the Newtown Zoning Regulations to include the Animal Sanctuary Design District (ASDD) as shown in documents titled “Animal Sanctuary District” Footnote: V5-1 160128 and “Consistency of the Catherine Violet Hubbard Animal Sanctuary Use to the 2014 Newtown Plan of Conservation and Development”, received to the Land Use Agency on September 20, 2017 is hereby found consistent with the Plan of Conservation and Development and the Comprehensive Plan and SHALL BE APPROVED. Be it Further Resolved that the amendments shall become effective on NOVEMBER 13, 2017.

Mr. Corigliano seconded and the motion passed unanimously.

Mr. Mitchell read a second motion: BE IT RESOLVED by the Newtown Planning and Zoning Commission that Application 17.16 by the Catherine Violet Hubbard Foundation, Inc. for a property located at Old Farm Road, Newtown, CT, for a Zone Map Change from M-5 to the Animal Sanctuary Design District (ASDD) as shown in a document received to the Land Use Agency on September 20, 2017 is hereby found consistent with the Plan of Conservation and Development and the Comprehensive Plan and SHALL BE APPROVED. Be it Further Resolved that the amendments shall become effective on NOVEMBER 13, 2017.

Mr. Corigliano seconded and the motion passed unanimously.

Mr. Mitchell read the call for the public hearing of Application 17.18 by the **Catherine Violet Hubbard Foundation, Inc.** for a Site Development Plan for a property located at Old Farm Road, Newtown, CT, to implement the Master Plan under the Animal Sanctuary Design District as shown on plans titled “Catherine Violet Hubbard Animal Sanctuary, Old Farm Road, Newtown, Connecticut” cover sheet dated 4/24/17.

Mr. Hubbard, Ms. McTaggart and Mr. Paulos presented the application, mentioning existing conditions and some invasive removal projects that took place over the summer months. Mr. Hubbard showed a wetlands delineation and outlined an easement access from Commerce Road which has been approved by the Town attorney. The site plan shows a small parking lot for a veterinary building, connected to a pavilion, connected to the main building. The main building will have a library, office space, a learning/seminar area and terrace. The veterinary building will service rescue animals and will have an apartment upstairs for students/interns/veterinarians. Mr. Paulos mentioned interest from Cornell and UConn to involve their students with the foundation.

Further phases of the project included the existing barn which was renovated to be structurally sound, and will be converted into stalls. Another barn will be built with a flagstone base for more stalls and animal space. The “learning barn” will be another area for seminars. Mr. Hubbard explained the K-9 and feline cottage which is an adoption space for the many rescues that work with the Catherine Violet Hubbard Foundation. There will be 14’ gravel driveways connecting the buildings for emergency access. Mr. Hubbard asked the Commission to waive the traditional paved, 20’ roadways for the sake of the environment and integration to the site. Mr. Benson agreed that this will still allow emergency access, and the roads were not for thru-traffic. Mr. Hubbard went into great detail over the butterfly gardens which terrace along the grade of the site. The applicants will open and restore a piece of the

meadow area. Mr. Mulholland asked if there were going to be other apartments/housing on site for a caretaker or employees. Mr. Hubbard was unsure, but did expect 24/7 staffing. Mr. Mulholland said if they decided to have more housing that they should return to the Commission to amend the site plan. Mike Lillis, CCA LLC, introduced himself as the engineer for the team. Mr. Lillis showed the driveway easement that will gain access over the land being looked at by Economic Development. He also described the utility plans, water hookups, and municipal sewer lines. Mr. Lillis addressed bus comments from the Town Engineer, noting that the pull around in the parking area should be more than sufficient, and there is a pull off spot on the farm road. Mr. Hubbard mentioned a 3,000gal cistern that will collect rainwater and will utilize gravity for irrigation.

Jodie Chase, Chase Ecological, spoke about the existing wetlands and diverse species. She thought that the project would be a great way to protect the Deep Brook area and encourage new species. She also mentioned the removal of an acre of invasive species that took place last year. Mr. Swift asked what would be done for sediment control during construction. Mr. Lillis said it would be traditional silt fencing and hay bales. Mr. Mulholland mentioned the close proximity of the learning barn to the wetlands. Mr. Lillis said that if necessary, they would use a silt sock. Mr. Hubbard explained that the project aims to protect and invigorate nature not harm it.

Eric Rains, Eric Rains Landscape Architecture, LLC, showed the landscape plans for the project, describing the subtle, low maintenance plants in the front, leaving all of the focus on the tiered butterfly garden. He also said there will be no upward lighting.

Mr. Hubbard asked for a waiver for the Aquifer Protection report, as required by the Newtown Zoning Regulations § 2.01.900, because of the low impact of the project. Mr. Benson mentioned that Mr. Sibley had supported the waiver in his report.

Mr. Mulholland opened the hearing up to the public, and Ms. McTaggart introduced Ms. Jenny Hubbard. Ms. Hubbard asked the Commission to support Catherine's dream as a lover of all things animal and fun. She explained her hope to provide a sanctuary for all. She called it a 'safe place to land'. There were no other members of the public who wished to speak. Mr. Mitchell made a motion to close the hearing at 9:25 PM. Mr. Corigliano seconded and the hearing was closed.

Mr. Mitchell made a motion to grant the applicant a waiver of the Aquifer Impact report. Ms. Cox seconded. The waiver was unanimously granted.

Mr. Mitchell made the following motion: BE IT RESOLVED by the Newtown Planning and Zoning Commission that Application 17.18 by the Catherine Violet Hubbard Foundation, Inc. for a Site Development Plan for a property located at Old Farm Road, Newtown, CT, to implement the Master Plan under then Animal Sanctuary Design District as shown on plans titled "Catherine Violet Hubbard Animal Sanctuary, Old Farm Road, Newtown, Connecticut" cover sheet dated 4/24/17, revised 10/12/17, is hereby found consistent with the plan of Conservation and Development and the Comprehensive Plan and shall be approved. BE IT FURTHER RESOLVED that the master plan and site development plan shall become effective on November 13, 2017.

Mr. Corigliano seconded and the application was unanimously approved.

The Commission took a five minute recess.

Mandatory Referrals

Town of Monroe – RAA 2017-10 File #993E – Outdoor Dining

The Commissioners thought that the regulation would not affect Newtown and offered to send a letter of support.

Other

Mr. Benson updated the Commission that the Legislative Council agreed to opt out of Temporary Health Care Structures as well.

Minutes

Mr. Corigliano made a motion to accept the minutes of October 5, 2017. Mr. Mitchell seconded. The minutes were approved.

Adjournment

Mr. Meadows made a motion to adjourn. Mr. Corigliano seconded. The meeting was adjourned at 9:45 PM.

*Respectfully submitted,
Georgia Contois, Clerk*