



**TOWN OF NEWTOWN**  
**PLANNING & ZONING COMMISSION**  
**MINUTES**

Regular Meeting  
Meeting Room #3, 3 Primrose Street  
February 1, 2018, 7:30 P.M.

**Present:** Mr. Mitchell, Ms. Manville, Ms. Cox, Mr. Swift, Mr. Meadows and Mr. Rosen

**Also Present:** George Benson, Director of Land Use, Georgia Contois, Clerk

Mr. Mitchell opened the meeting at 7:34 PM. Mr. Meadows was seated for Mr. Mulholland.

**Discussion and Possible Action Items**

**(Continuation) Application 17.20 by Prithvi Real Estate Management, Inc.,** for a Zoning Amendment to the Town of Newtown Zoning Regulations to add Special Design District #5 (SDD5) pursuant to Article II Section 2, for a property located at 94 South Main Street, Newtown, CT, as outlined in a document titled "Special Design District (SDD)" dated November 1, 2017.

Mr. Solli joined the Commission again to present revised language reflecting the requests of the commissioners. He explained that they have adjusted secondary uses as allowable by Special Exception approval. There will be no allowance for a sign on the building facing Greenbriar Lane, and no drive thru windows will be permitted for any use. Mr. Meadows and Mr. Swift discussed drive thru windows and property setbacks. Mr. Mitchell recommended a town wide discussion for drive thru windows. Mr. Solli and Ms. Manville also noted some grammar changes that were not adjusted yet. Ms. Cox asked about the impervious surfaces. Mr. Solli said that it is limited in the regulation to less than 40%, and Mr. Benson clarified that the regulation for the B-2 zone states less than 70%. The hearing was opened to the public. Barbara Kugler, 12 Greenbriar Lane, said that she would not support the idea of a drive thru. She appreciated the other changes made but still did not want to see activity on Greenbriar due to the proximity to a bus stop and the residential area.

With no further discussion, Mr. Swift made a motion to close the hearing. Ms. Manville seconded and the hearing was closed at 8:01 PM.

Ms. Manville read the following resolution:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that Application 17.20 by Prithvi Real Estate Management, Inc., for a Zoning Amendment to the Town of Newtown Zoning Regulations to add Special Design District #5 (SDD5) pursuant to Article II Section 2, for a property located at 94 South Main Street, Newtown, CT, as outlined in a document titled "Special Design District (SDD)" dated November 1, 2017. Is consistent with the Plan of Conservation and Development and the Comprehensive Plan and AND SHALL BE APPROVED.

BE IT FURTHER RESOLVED that the application shall become effective February 26, 2018.

Mr. Swift accepted the motion and Mr. Meadows seconded. All members were in favor.

**Application 18.02 by Riverwalk Properties, LLC.,** for an Amendment to the Special Exception previously approved on January 22, 2009, for 10-22 Washington Avenue, to modify the site plan for a residential community under the Incentive Housing Overlay Zone as shown on plans titled "The Riverwalk at Sandy Hook Village, Washington Avenue, Newtown, Connecticut" dated September 2015, last revised December 2017.

Frank Scinto, of Gager, Emerson, Rickart, Bower and Scalzo LLP, spoke as an agent for the application. He gave the Commission background on the project, noting the original approvals in 2009 which were modified in 2015 and 2016. The project is currently requesting 74 units and has Water Sewer Authority approval.

Kevin Bennett, of Bennett Sullivan Assoc. Inc., went over the site plan and architectural drawings with the Commission. He explained that the current proposal is similar to the last except the larger building is broken

into two pieces. The three small buildings (C,D,E) that are closest to Washington Ave will be 'sunken' so that the backside (facing Washington Avenue) will be two story; and the driveway side will be three stories. He also explained the different phases proposed. Four small buildings will be constructed first with a temporary driveway. The builder plans to do the streetscape work with Phase 2. Commissioners discussed the patios and streetscape with Mr. Bennett.

Alan Shepard, of Nowakowski, O'Bymachow, Kane and Assoc., is the engineer for the project. He explained the desire to be closer to the road because it will reduce disruption to upland wetlands areas. Mr. Shepard said that the project is not any denser than previously approved. He told the Commissioners that many of Mr. Bolmer's comments about drainage will be addressed in their reports which will be completed. The applicant's team discussed continuing the hearing in order to have the documents prepared.

Rob Sherwood, Landscape Architect, talked to Commissioners about the landscape plan with evergreens and native trees, some of which will be flowering. He mentioned that the wetlands mitigation is similar to the last modification but will be refined for the next meeting.

The hearing was opened to the public.

Chris Breault, 13 Washington Avenue, told the Commission that the changes are significant and had reservations about the three story buildings appearing to be two story from the main road. He also mentioned the existing sidewalk to Sandy Hook Center and issues with handicapped accessibility. Mr. Burton said that he understands the concerns with the existing sidewalk and has already adjusted his plan to avoid those problems. Once Washington Avenue is paved it will be brought up to the level of the existing sidewalk to promote proper drainage.

Hearing no other business, Mr. Swift made a motion to continue the hearing to March 15, 2018 at 7:30 PM in Council Chambers to allow the applicant to submit necessary documents. Ms. Cox seconded. All members voted in favor.

### **Other**

Members reviewed a resume and cover letter from Benjamin Toby, who has applied to become an alternate to the Planning and Zoning Commission. Mr. Toby was in attendance and introduced himself to the commission. Members agreed that Mr. Toby seemed like a great fit to the Commission and hearing no interest from public or recommendations from the Democratic Committee, Mr. Meadows made a motion to elect Mr. Toby to the vacant seat. Mr. Rosen seconded. All members were in favor.

### **Chairman's Report**

Mr. Mitchell asked Commissioners to think about subcommittees for drive thru windows and the South Main Village Design District. Ms. Cox and Ms. Manville offered to do drive thru windows. Mr. Swift and Mr. Mitchell will work on the language and purpose for the SMVDD. Mr. Mitchell also mentioned policy regarding alternates. He suggested not assigning an alternate until the voting process comes, in order to give the regular members a chance to be able to listen to the tapes and vote. Lastly, Commissioners asked the clerk to speak with IT about receiving plans and information electronically, abiding by FOI rules.

### **Minutes**

Ms. Cox made a motion to accept the minutes of January 18, 2018. Mr. Swift seconded. All members were in favor.

### **Adjournment**

Mr. Meadows made a motion to adjourn. Ms. Manville seconded. The meeting of February 1, 2018 was adjourned at 9:39 PM.

*Respectfully submitted,  
Georgia Contois, Clerk*