

3 PRIMROSE STREET  
NEWTOWN, CT 06470  
TEL. (203) 270-4276



**TOWN OF NEWTOWN**  
PLANNING & ZONING COMMISSION

**MINUTES**  
**REGULAR MEETING**

Thursday, April 1, 2021 at 7:00 p.m.

**Zoom Virtual Meeting Participation Information**

Thursday, April 1, 2021 at 7:00 P.M.

Call-In Number: +1 929-205-6099

Meeting ID: 919 5556 8144 #

Website: <https://zoom.us/j/91955568144>

**Present:** Don Mitchell, Roy Meadows, Corinne Cox, Barbara Manville, Dennis Bloom, Andrew Marone, David Rosen

**Staff:** George Benson, Director of Planning, Christine O'Neill, Clerk

Mr. Mitchell called the meeting to order at 7:02 p.m.

**New Business**

Mr. Mitchell reminded the Commission of the Fairfield Hills Master Plan Review Committee's (FHMRC) recommendations that were approved last meeting. The next step is for two Commissioners along with members of the FHMPRC to comb through the recommendations and see if any amendments must be made to the Zoning Regulations to reflect the new plan. Ms. Manville asked what the time commitment would be like. Mr. Benson shared that specifics, such as the time of day for meetings, would be determined once the subcommittee was formed. Mr. Mitchell and Mr. Benson explained that there is no deadline for getting this done, with Mr. Benson adding that he'd like to touch base with Deb Zukowski of the FHMPRC to get an idea of timing.

**Referrals**

**Referral 21.06 from the Borough of Newtown Zoning Commission for -**

**(1) Application of Town of Newtown to add "Article 13, Borough Landmark Buildings (BLB)" to zoning regulations to establish a procedure for the Newtown Board of Selectmen to request that specific municipal buildings be designated as landmark buildings.**

**(2) Application of Town of Newtown to apply Article 13 to Edmond Town Hall for a Landmark Building designation with the proposed permitted, special exception and prohibited uses -**

**As demonstrated on documents submitted to the Land Use Agency 3/12/21.**

Mr. Mitchell explained that these applications, in slightly different versions, came before the Commission about a year ago. Both were recommended for approval.

Mr. Benson commented that, since last year, adjustments were made to the application requirements and other minor wording changes. Because this floating zone would only apply to municipal buildings in the Borough, there are very few potential candidates aside from Edmond Town Hall. Mr. Benson likened the concept to the South Main Village Design Districts in the Town Zoning Regulations.

As for Edmond Town Hall's application to become a Borough Landmark Building (BLB), Mr. Benson explained, the allowed uses have been pared down from what was presented last year. The gist of this application is to formalize and codify the current uses in Edmond Town Hall as legal, and to allow for-profit entities to rent space.

Edmond Town Hall is a unique case, Mr. Benson went on, because while it is municipally-owned, the Town offices have moved elsewhere and funding has been redirected. This BLB designation would breathe new life into the building and provide some revenue streams.

Ms. Cox asked what would happen if another building wanted to apply. Mr. Benson explained that the Town would create a similar application to what was before the Commission tonight, but the proposed uses would likely be different. Mr. Benson shared there was discussion of changing Edmond Town Hall's zone to a business zone, but they wanted to be more specific about what uses would be allowed.

Mr. Mitchell noted that the reason these referrals are up for consideration again is because, after this Commission approved them, they were withdrawn before the Borough Zoning Commission could render a decision. Mr. Benson said he's glad to have had a second shot at these applications anyway, because he has now added the term "floating zone" into the text amendment for clarity.

The Commissioners thought about other possible buildings that might be eligible for this designation. Mr. Benson commented that such a determination would be up to the Town and the Borough Zoning Commission. He shared that there are no current plans to list other buildings as BLBs.

Ms. Cox wondered about the approval procedure. Mr. Mitchell said this will be a simple recommendation of approval/disapproval - there is likely no need to add a list of findings.

Mr. Mitchell read the following into the record:

*BE IT RESOLVED that Referral 21.06 from the Borough of Newtown Zoning Commission for: Application of Town of Newtown to add "Article 13, Borough Landmark Buildings (BLB)" to zoning regulations to establish a procedure for the Newtown Board of Selectmen to request that specific municipal buildings be designated as landmark buildings, as demonstrated on documents submitted to the Land Use Agency 3/12/21 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE RECOMMENDED FOR APPROVAL.*

Ms. Cox so moved. Ms. Manville seconded.

Mr. Mitchell specified that the above resolution is only for the text amendment - this has nothing with Edmond Town Hall. That will be voted on next.

Mr. Meadows had some questions about the procedure that the text amendment would set up for BLB applications. He requested that 13.05(e) add *Borough Zoning* Commission for clarity. Mr. Benson agreed that the text should specify. Mr. Meadows also wondered who proposes the uses. Mr. Benson replied that the Board of Selectmen would propose them, as 13.05 states. Next, Mr. Meadows pointed out that there are two 13.05s - the second 13.05 should be changed to 13.07. Mr. Meadows and Mr. Benson went over a few other small points for Mr. Meadows' clarity.

Mr. Mitchell pointed out that because this is a referral, the Commission cannot actually require the changes that had just been discussed; they can only mention them as findings/recommendations in their letter to the Borough Zoning Commission.

The Commission voted as follows:

Don Mitchell - AYE  
Roy Meadows - AYE  
Barbara Manville - AYE  
Corinne Cox - AYE  
Dennis Bloom - AYE

The motion to recommend the approval of the above-noted referral carried unanimously. The letter to the Borough Zoning Commission will also include the following recommendations:

- 13.05(e): change "The Commission may attach..." to "The Borough Zoning Commission may attach..."
- 13.05 List of Approved Individual Landmark Buildings and Uses: Change 13.05 to 13.07

Mr. Mitchell read the following into the record:

*BE IT RESOLVED that Referral 21.06 from the Borough of Newtown Zoning Commission for: Application of Town of Newtown to apply Article 13 to Edmond Town Hall for a Landmark Building designation with the proposed permitted uses as demonstrated on documents submitted to the Land Use Agency 3/12/21 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE RECOMMENDED FOR APPROVAL.*

Mr. Meadows so moved. Mr. Bloom seconded.

Mr. Mitchell noted that Borough Zoning Commission has a lot of discretion when it receives these referrals back - and he is inclined to leave that discretion to them, rather than picking apart the uses here.

Mr. Meadows pointed out that none of the proposed uses appear to be contrary to the Plan of Conservation and Development (POCD). Mr. Mitchell raised the following question: the POCD

says 'keep Main Street residential,' but does that mean no commercial uses should be adopted, or that it should maintain the appearance of a noncommercial area? While Edmond Town Hall is definitely not residential, it's also not the same thing as a business with large advertising signs. Mr. Mitchell expressed that he is somewhat concerned about the creeping in of non-residential uses. Ultimately though, Mr. Mitchell explained, the Borough Zoning Commission will hold a public hearing on this application, which will allow residents to weigh in on what they feel is in harmony with Main Street.

Mr. Benson interpreted the POCD to mean that Main Street should keep current residential uses residential - otherwise the solution would be to turn Edmond Town Hall into apartments, "which is not what we want." Mr. Mitchell also reminded the Commission that municipal uses are allowed in residential zones.

Mr. Mitchell pointed out that there is another layer of review for uses - the Edmond Town Hall Board of Managers must approve each potential renter.

The Commission voted as follows:

Don Mitchell - AYE  
Roy Meadows - AYE  
Barbara Manville - AYE  
Corinne Cox - AYE  
Dennis Bloom - AYE

The motion to recommend the approval of the above-noted referral carried unanimously.

**C. G. S. 8-24 Referrals from the Board of Selectmen for appropriation for the following projects: (1) Emergency Radio System Upgrades, (2) Engineering, Planning, Design, and Construction of the Sandy Hook Permanent Memorial, and (3) Acquisition and Installation of a Gas Boiler and LED Lighting at Reed Intermediate School, as demonstrated on a document submitted to the Land Use Agency 3/5/21.**

Mr. Mitchell read the following into the record:

*BE IT RESOLVED THAT the 8-24 Referrals from the Board of Selectmen for appropriation for the following projects: (1) Emergency Radio System Upgrades, (2) Engineering, Planning, Design, and Construction of the Sandy Hook Permanent Memorial, and (3) Acquisition and Installation of a Gas Boiler and LED Lighting at Reed Intermediate School, as demonstrated on a document submitted to the Land Use Agency 3/5/21 ARE HEREBY APPROVED.*

Ms. Cox so moved. Mr. Bloom seconded.

The Commission voted as follows:

Don Mitchell - AYE  
Roy Meadows - AYE

Barbara Manville - AYE  
Corinne Cox - AYE  
Dennis Bloom - AYE

The motion to approve the above-noted referrals carried unanimously.

#### **Referral from Town of Monroe, "RAA-2021-04, File #1018E"**

Mr. Benson explained that Monroe, as a result of the COVID emergency outdoor dining provisions from the State, is looking to adopt long term outdoor dining regulations. A recent resolution from the State has extended those provisions through March of 2022. Mr. Benson pointed out that while this has no impact on Newtown, perhaps in the future the Town will take a look at Monroe's regulation as a model. Mr. Mitchell and Mr. Benson felt there was no need for Newtown to rush into doing the same thing. It was decided that there was no opposition to this proposed text amendment.

#### **Other Business**

Mr. Bloom asked about "what the State is doing with housing." Mr. Benson said he needs to review it [SB 1024], but the major points that he would have been opposed to had been taken out, including certain multifamily housing portions. There was some further discussion about the bill. Mr. Rosen noted that the bill had only been voted on by the Planning and Development Committee, and has not been voted into law yet.

#### **Minutes**

Mr. Meadows moved to approve the minutes from the meeting of March 4, 2021. Mr. Mitchell seconded. All were in favor and the minutes from the meeting of March 4, 2021 were approved.

#### **Adjournment**

Mr. Rosen made a motion to adjourn. Mr. Mitchell seconded. All members were in favor and the meeting was adjourned at 8:01 p.m.

*Respectfully submitted,  
Christine O'Neill, Clerk*

A recording of the meeting can be found here:

<https://drive.google.com/drive/folders/1ZzhcbQhhCuj2eSQYp8qbuiaU4hyBNMyM>