



**TOWN OF NEWTOWN**  
PLANNING & ZONING COMMISSION  
**MINUTES**  
Regular Meeting  
Council Chambers, 3 Primrose Street  
June 15, 2017, 7:30 P.M.

**Present:** Mr. Swift, Ms. Cox, Mr. Corigliano, Ms. Manville, Mr. Meadows

**Also Present:** George Benson, Director of Planning and Land Use

Mr. Swift sat in as acting chair and opened the meeting at 7:33 PM

**Public Hearing**

Ms. Manville read the call for the hearing:

Application 17.08 by **Grassy Hill Builders, LLC** for a two lot Subdivision and necessary site improvements located at 27 Mt. Nebo Road, as shown on certain maps titled "Grassy Hill Builders, LLC, Map 13, Block 6, Lot 21B Ox Hill Road, Newtown, Connecticut" dated 5/3/17.

Mr. Swift asked to hear from the applicant. Fred D'Amico, of D'Amico Associates spoke as an agent for the application. He explained the project as a second phase following a free split that was done years ago. The original parcel was about 10 acres, and a 2.5 acre parcel has already been developed leaving 6.5+ acres vacant. The proposed subdivision would be creating three parcels, two for use and one for Open Space. Mr. D'Amico said that the OS Parcel consists of wetlands and a root cellar and would serve as a nice buffer between residences. The two homes would be moderately sized and have private septic and wells. The Health Department gave their endorsement for the sanitation systems. Mr. D'Amico then addressed the Town Engineer's comments about cuts and fills, road widening and lot pin bonding.

Mr. Meadows asked if the area was flagged. Mr. D'Amico said not specifically although the parcel is bounded by many features like a rock wall. Commissioners talked about the OS parcel after reviewing the Conservation Commission's report advising to ask for fee in lieu of OS. The PZ Commissioners felt that the area was important to preserve and the applicant agreed.

Mr. Swift opened the discussion to members of the public.

Donna Mayne, 9 Steck Drive, asked if there would be blasting due to ledge near the OS parcel. She also noted that the houses would have Ox Hill Road addresses, not Mt. Nebo. Mr. Mayne told the Commissioners about the condition of Mt. Nebo Road and how it may become more damaged from construction equipment. She also mentioned that Grassy Hill Builders, LLC is a newly created LLC and didn't want to see a half completed house sit on a lot when there are already foreclosures in the neighborhood.

Mark Bruen, 18 Ox Hill Road, asked how far the road improvements will go. Mr. Benson said the applicant is only responsible for the area of the property, nothing further. He said there are lots of existing evergreen trees that he would like to see stay, and was concerned about the various species of animals and wetlands area. Mr. Bruen's property is downhill from the subject property and didn't want any affects or contamination to his parcel especially from chemicals like pesticides.

Vincent Dion, 25 Mt. Nebo Road, talked about well concerns as he has two on his property. Mr. Dion owns the 'first cut' from the 10 acre parcel. He has neighbors with well issues and didn't

want to find himself in a similar situation. He thought the OS parcel needed to go to the Town instead of being merged and accepting fee in lieu of, calling it a reasonable concession.

Audrey Petschek, 19 Ox Hill Road, asked the Commissioners to preserve as much of the Town as possible, including the OS parcel proposed for this subdivision. She asked about lights shining into her property from the driveways and agreed with Ms. Mayne that Mt. Nebo needs to be paved.

Mr. Bruen also mentioned the Mayer properties which he did not want to see developed. Mr. Swift said he would optimally like to preserve as much OS as possible because it is one of Newtown's finest features.

Mr. Meadows asked if the applicant could identify trees that would be staying intact. Mr. D'Amico said that the majority of the pine grove would be preserved and the developer had no intentions of scalping the properties. He assumed they would be marketed as private wooded lots. Mr. Swift and Mr. Corigliano urged the public to acknowledge the input of the Health Department, Fire Marshal, Land Use and the Town Engineer who review and request changes of the applicant before it comes to Zoning. Mr. Corigliano said that they have confidence that they are being led properly by these professionals on a number of ideas.

Mr. Bruen asked if the houses were in a set location in the build boxes. Mr. Benson said they can move within the box but the location probably would not change.

With no more public comment or discussion, Mr. Corigliano moved to close the hearing. Mr. Meadows seconded and the hearing was closed at 8:24 PM.

The Commissioners talked about the OS parcel and all agreed that the parcel was important and they would rather acquire it than receive fee in lieu of. Mr. Corigliano made a motion:

BE IT RESOLVED that Application 17.08 by **Grassy Hill Builders, LLC** for a two lot Subdivision and necessary site improvements located at 27 Mt. Nebo Road, as shown on certain maps titled "Grassy Hill Builders, LLC, Map 13, Block 6, Lot 21B Ox Hill Road, Newtown, Connecticut" dated 5/3/17, be approved with the following conditions:

1. The lot pin bond be set and approved by the Town Engineer
2. The Road Improvement bond be set and approved by the Town Engineer
3. The Open Space parcel as shown on the plans will be accepted by the Town of Newtown

BE IT FURTHER RESOLVED that the application is consistent with the Plan of Conservation and Development and the Comprehensive Plan

BE IT FURTHER RESOLVED that this application shall become effective on July 10 pending publication in the Newtown Bee.

Mr. Meadows seconded and the Commission unanimously approved the application.

## **Minutes**

Mr. Corigliano made a motion to accept the minutes. Ms. Manville seconded. All were in favor. The minutes of May 18, 2017 were approved

## **Adjournment**

Mr. Meadows made a motion to adjourn. Mr. Corigliano seconded. The meeting was adjourned at 8:33 pm.

*Respectfully submitted,  
Georgia Contois, Clerk*