



TOWN OF NEWTOWN
PLANNING & ZONING COMMISSION
MINUTES
Regular Meeting
Council Chambers, 3 Primrose Street
July 6, 2017, 7:30 P.M.

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

Also Present:

George Benson - Director of Planning and Land Use, First Selectman Pat Llodra, LeReine Frampton, Maureen Crick Owen, Amy Mangold, Kinga Walsh, 30 members of the public, 1 press.

Mr. Mulholland opened the meeting at 7:35 PM.

Public Hearing

Mr. Mulholland asked for a show of hands by those present for Turkey Ridge, Saw Mill Road, and the Community Center and Senior Center. The most show of hands was for the Turkey Ridge project. Mr. Mulholland indicated that the order will begin with Turkey Ridge, followed by the Community Center and Senior Center, and conclude with the Saw Mill Road application.

Mr. Corigliano read the application: Application 17.04 by **Bridgeport Roman Catholic Diocesan Corp** for an 11 lot Open Space Conservation Subdivision and necessary site improvements located at 96 Toddy Hill Road, as shown on certain maps titled "Turkey Ridge, Newtown, Connecticut, Toddy Hill Road and Turkey Roost Road, an Open Space Conservation Subdivision", dated 2/1/17" - continued from June 1, 2017.

Mr. Mulholland asked to hear from the applicant for Turkey Ridge.

Mr. Larry Edwards of J. Edwards & Associates, LLC, 227 Stepney Road, Easton, Connecticut stepped forward and began with a reference to the presentation made last month to the Commission, two items that were asked to be addressed at this hearing, the first if the original layout did comply with minimum requirements for density for open space. He went back and looked at the plan, originally done in December, a quick layout but did not define it down to open space conforming. He presented in another submission a couple of weeks ago, and refined the conventional layout, included open space, requirements of equal percentage of open space and usable land, he presented showing the site plan of total acreage of the parcel is 28.5 acres, 15% open space is 4.3 acres, total sloped is 3.7 acres or 12.9% of the parcel. They had excess acreage which was not layout. Steep slopes is 12.9%. 10 buildable lots on site, density of 11 lots based on open space requirements. The other item was to contact the Town engineer regarding drainage, the site will alleviate issues of drainage and the Town engineer was satisfied. Mr. Edwards discussed the location of the pipes for catch basins, picking up run off of Turkey Roost Road, part of Toddy Hill Road, natural low spot established by survey, route out to property and to wetlands. Mr. Mulholland asked about clogged pipe, according to Mr. Edwards that pipe had been plugged. Mr. Mulholland also asked about the culvert, Mr. Edwards referenced a farm water source. Mr. Meadows asked to show where the water leaves this parcel. Mr. Edwards pointed to a set of catch basins that the water will flow into, explaining direction and flow of water.

Mr. Mulholland asked about dying trees. Mr. Edwards did not know about this concern. There may be some dying trees but did not have plans to do anything with that in the woods, if close proximity to the property line, may need to take a closer look.

Mr. Mulholland said it was in the open space, he would not want that to continue and destroy the open space. Mr. Edwards said that the ash, hemlocks and perhaps other different species are facing natural stress. Mr. Edwards was asked to take a look at it. It was suggested that the Conservation Commission to look into this concern. Mr. Mulholland asked Mr. Benson to make sure that the Conservation Commission looks into this.

Mr. Mulholland said that he is required by law to close the public hearing tonight unless an extension is granted, Mr. Edwards said that he would like to resolve it tonight.

Mr. Mulholland acknowledged the large group present and that their comments will be carefully considered, though to bring forth new comments that have not already been brought forth.

Steve Trinkaus, licensed professional engineer from Southbury, Connecticut, Mr. Trinkaus said that he has been retained by concerned citizens who live near the proposed subdivision. Mr. Trinkaus said that he has reviewed Mr. Edwards's plans and will submit a review letter for the record, including his resume. Mr. Trinkaus said that he generally likes to submit review letter ahead of time, but did not get to do this until yesterday. Mr. Trinkaus said that he found issues regarding storm water management, missing information, compliant with 2014 DEEP manual, he said it does not meet specific requirements, nor meet with open space requirements - Section 4.0100. He offered to explain why and also noted Section 4.0140 regarding dead end roads. Mr. Benson said that this is superseded by the conservation subdivision.

Mr. Trinkaus said that the open space requirements on page 2, protection of environmentally sensitive areas, he pointed out the wetlands on the site plans, the larger open space is surrounded by development, species live in wetland and other areas, he said that the site plan does not provide the level of protection for open space regulations.

Mr. Mulholland asked for Rob Sibley to look into the site plan.

Mr. Trinkaus outlined concerns regarding open space, erosion control, grading, ground water calculations, DEEP standards, soil properties, soil properties, watershed analysis, storm water treatment.

Mr. Mulholland explained that the Commission will not take a vote on this tonight, Mr. Edwards granted a 30 day extension.

Dave Barrett, 6 Kaechele Drive, said that his property will be impacted by the development, the soil will be impacted, the water runs across his lawn, he had septic work done because drainage was not adequate, he expressed concern over runoff and soil issue.

Janis Nezvesky, 24 Clearview Drive, 136 Huntington Road, commented about a tree that had fallen down onto her property, trees falling toward her property, she added that her neighbors have flooding in basement, concerned about water drainage.

Steve Nichols, 115 Toddy Hill Road, mentioned the pipe that runs through the area is not plugged, steady flow of water into his yard, the pipe runs through a retaining wall. Mr. Edwards offered to look at it again.

Christine Curreri, 109 Toddy Hill Road – she said that there was water damming the end of her driveway after rain, submitted pictures, also of 113 Toddy Hill Road.

Madeline Cady, 30 Turkey Hill Terrace – asked to look into run off, bottom of steep cliff of 27', when house was built next door, flooding and run off. Mr. Benson offered to look at run off again.

Elias David, 32 Clearview Drive – spoke to engineered septic, neighbors that also have interior drains and sump pumps and still have collection of water.

Mark Smith, 12 Kaechele Drive, asked what is the elevation drop behind his house, continuous stream of water runoff, between 12 and 14 Kaechele, water runoff between 12 and 14 is high.

Mr. Mulholland asked Mr. Edward to address concerns brought up.

Mr. Corigliano motioned for a 30 day extension. Second by Ms. Cox. All in favor. Review again at the next meeting.

Mr. Mulholland called for a break at 8:34 pm. Meeting reconvened at: 8:38pm.

Mr. Corigliano read Application 17.09 by **Town of Newtown for a Community Center and Senior Center** for a Site Development Plan located at 8 Simpson Street with necessary parking and site improvements as shown on a preliminary set of plans titled "Site Plan, Newtown Community Center, Fairfield Hills, Newtown, CT" dated June 14, 2017.

Mr. Rusty Malik, Quisenberry Arcari Architects LLC, Mark Fisher, landscape architect, provided an overview of the project, showed PowerPoint, outlined Newtown community & senior center. Mr. Malik reviewed the Site Plan. He explained that the site was the former environment for Fairfield Hills hospital, buildings have classical, neoclassical, formality of the site, symmetrical, with the design of the new Community Center and Senior Center was to respect that architecture that is existing, NYA and municipal center. He has fielded input from community center advisory committee, senior center, this design reflects some of their comments. Mr. Malik discussed parking, traffic calming pavers device, lighting, external patio features, green area, flow out from the multipurpose rooms, infrastructure is in place for future enhancements. He discussed compliance with Fairfield Hills Authority. He discussed landscape plantings, rain garden, aquifers, commercial kitchen, smaller kitchen, dumpster consideration, bike racks, overall layout fair amount of landscaping, the center will be a destination point, can walk the trails, look at future parking, building additions for the future. Handicap parking is near the senior center, also created covered porches as people walk from cars, extended out further in the senior center area. Mr. Mulholland asked about the single dumpster area near the senior center parking area. Mr. Malik said there is only one dumpster location at this time.

Ms. Cox asked about fire truck access, Mr. Malik responded that he has discussed this with the Fire Marshall.

Mr. Malik showed the Building Plan slide, entrance, café, multipurpose rooms 1 – 3 with movable walls, health and wellness, provide as much flexibility, all the spaces have technology, internet access, projection screen capability, reviewed locker room areas, access to lap pool and recreational pool, mechanical areas situated so that they can be shared by both the community center and senior center areas, door from main entrance can connect to senior center with also a separate entrance. Multipurpose spaces in senior center also have space flexibility.

Ms. Cox asked commented about the access to senior center and terrace/patio.

Mr. Mulholland commented about entering and existing the pool area, accessibility to the outside.

Mr. Malik discussed access, concern of access control, fire exits.

Mr. Mulholland requested follow up of formal parking, landscape, lighting plan, drainage, snow plan, and other detailed plans for subsequent meetings and input.

Mr. Corigliano moved to continue to the meeting to July 20th. Second by Mr. Swift. All in favor.

Mr. Corigliano read: Application 17.07 by **RSD-Newtown, LLC** for a Special Exception located at 2 Saw Mill Road for daycare facility including 8,450± square foot addition and necessary site improvements, as shown on certain maps titled "RSD-Newtown, LLC, 2 Saw Mill Road, Newtown, Connecticut", dated 4/21/17".

Mr. Dainius Virbickas, PE, Artel Engineering Group, LLC, Brookfield, Connecticut, reviewed site plans. Daycare is special exception to this zone, R1 zone, day care use seems to be the right type of use, look to eliminate existing barn structure, existing well and septic, municipal connections, put an addition to rear of existing farmhouse, access to the site will be relocated to Sawmill Road. Good to access the site off the side street. Good distance from intersection from Mt. Pleasant Road. 48 parking spaces proposed, including 2 handicap spaces. With respect to parking it was decided to control vehicles to the parking area for safety concerns.

Mr. Mulholland asked if the driveway is two lanes, Mr. Virbickas said yes.

Ms. Cox asked how close to the brook, Mr. Virbickas said about 25 feet, approval in June.

Mr. Corigliano asked what encourages counterclockwise vehicular movement. Mr. Virbickas explained to have arrows and one way signs. Mr. Virbickas discussed site grades, retaining wall, proposed utilities, storm water systems to facilitate storm water runoff, roof drains.

Mr. Mulholland pointed out Mr. Bolland and Mr. Sibley had approved. Met with fire marshall added a stand pipe. One of the comments raised at the wetlands commission, for snow storage, shown at the rear of the parcel in a swale area, wetland commission satisfied.

Mr. Swift asked about the small retainer wall, discussion of retaining wall, concern of attractive and visible to the public, unattractive if very visible to the public, wall as a place keeper, look to use a decorative block retaining wall.

Mr. Mulholland asked for the distance of the residences to the center.

Mr. Meadows asked about the storm water drainage. Mr. Virbickas discussed soluble salts, concern of the salt in the snow. Swale to hold the snow and salt in that area.

Mr. Swift asked to how much soil is to be removed and it was discussed bulk removal of soil.

Mr. Mulholland asked about the lighting plan. Mr. Virbickas said they are preparing a lighting plan that is sufficient, 14 ft. light poles, concentrating in parking lot, wall packs, LED. Not lighting the play area at this time. Traffic study prepared in the packet.

Mr. Swift asked about traffic. Mr. David Spear, DLS Traffic Engineering, explained the traffic study that was done and explained traffic considerations of the area, traffic volume, traffic breaks. Mr. Spear said that during peak hours the signal is very efficient.

Mr. Mulholland asked what is peak hour off of 25 to Saw Mill Road, what is the actual volume, Mr. Spear said 80 vehicles and 40 vehicles. In the morning, 40 east, 80 west bound.

Ms. Cox commented about additional traffic flow when the site is developed.

Mr. Meadows asked for specific date Mr. Spear conducted his site traffic study. Mr. Spear said that the traffic study was done on May 4, Thursday, 4-6 pm.

Mr. Mulholland asked for a traffic flow analysis. Mr. Spear said that the state reviewed it, projections already analyzed. Mr. Spear saw no problems.

Mr. Mulholland asked for police accident report, Mr. Spear said there were no unusual accidents.

Mr. Harry Freeman, RSD, Newtown LLC of Windsor, explained that Educational Playcare is a daycare center with approximately a dozen locations in Connecticut that provides day care for children birth to 5 years old. This would be the first one in Fairfield County. Ratio of student per teacher 1:5 or 1:4. Open Monday – Friday.

Mr. Freeman addressed the safety concerns expressed regarding traffic and pulling in/out of the daycare center and offered to suggest to the owners to encourage drivers to make a right turn out, hours discussed.

Mr. Mulholland asked for further traffic studies. Mr. Mulholland reviewed the traffic study numbers and expressed that he is not comfortable with this, considerations should also include when 84 is backed up, happens often enough, once a week. Mr. Corigliano referred to the applicant instructing families of traffic concerns, left turns out from the center.

Mr. Freeman said that the daycare center has communication plans in place for communicating with parents/care givers during the day, the owner has the means to communicate traffic issues. Ability to encourage drivers to make a right out of the area.

Mr. Mulholland asked for the signage, on condition of approval.

Public comment:

Wendy Knothe, 5 Saw Mill Road, expressed concern with the traffic, very dangerous intersection, taking a left from Saw Mill 2 is not good, people coming up Mt. Pleasant are racing up the hill, not a great fix, also people coming down the hill the light is red, but on the other side the light is green, there was a bad accident last year because of that. Morning hours are the most difficult.

Public hearing closed: 10:41 pm.

Mr. Corigliano made a motion to close the public hearing. Second by Mr. Swift. All in favor.

Mr. Benson asked Mr. Virbickas to look to save native trees on the buffer zone/residential side.

Mr. Corigliano made a motion:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that Application 17.07 by RSD-Newtown, LLC for a Special Exception located at 2 Saw Mill Road for a daycare facility including an 8,450+- square foot addition and necessary site improvements, as shown on maps titled "RSD-Newtown, LLC, 2 Saw Mill Road, Newtown, Connecticut", dated 4/21/17" is hereby found consistent with the Plan of Conservation and Development and the Comprehensive Plan. BE IT FURTHER RESOLVED that the application shall be approved with the following stipulations: Applicant shall work with land use staff to ensure adequate buffering from the residential zone and Applicant shall install as sign at the parking lot exit to make a right turn only at peak operating times (to be noted hourly on such sign) and to instruct its patrons on the exiting of the facility during peak operating times in its brochure. BE IT FURTHER RESOLVED that the approval shall become effective July 31, 2017 pending publication in the Newtown Bee. Second from Ms. Manville. All in favor.

Mr. Benson reviewed the Application for a detached apartment on 11 Monitor Hill Road, shared the Memo from Steve Maguire regarding the application for a detached accessory apartment meeting criteria and in compliance with regulations. Ms. Cox made a motion:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that an Application for a Detached Apartment on 11 Monitor Hill Road is hereby found consistent with the Plan of Conservation and Development and the Comprehensive plan and shall be approved. Second by Mr. Corigliano. All in favor.

Minutes

Ms. Cox made a motion to accept the minutes. Mr. Swift seconded. Mr. Corigliano asked that the comment he made "... that they have confidence that they are being led ..." be omitted from the minutes as is was incorrectly recorded. Ms. Cox made a motion to accept the minutes with omission. Mr. Swift seconded. All in favor. The minutes of June 15, 2017 were approved with omission.

Adjournment

Mr. Meadows made a motion to adjourn. Mr. Corigliano seconded. All in favor. The meeting was adjourned at 10:59 pm.

*Respectfully submitted,
June Sgobbo, Clerk*