



TOWN OF NEWTOWN
MINUTES
Regular Meeting
Meeting Room 3, 3 Primrose Street
January 11, 2017, 7:00 P.M.

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

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

Mr. Mulholland opened the meeting at 7:03 PM. Mr. Mulholland asked to hold the public hearings first.

Discussion and Possible Action Items

Mr. Mitchell read the following call:

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. Mulholland asked to hear from the applicant. Kevin Solli, of Solli Engineering, LLC. 501 Main Street South, Monroe, came forward as the agent for the application. He gave a presentation of the site location and began discussing the proposed text to create a Special Design District #5 (SDD5). He explained that passing this regulation would allow the applicants to return to the Commission with a Site Plan for Pleasant Paws, a veterinary facility potentially including an emergency clinic, physical therapy, and a small retail area. He showed the Commissioners a preliminary site plan which is required as part of the Zoning Amendment Application.

Commissioners began discussing the secondary uses for the regulation and talked about drive-thru windows. Mr. Meadows wondered why they couldn't be considered for this parcel. Mr. Swift was strongly against them. Ms. Cox agreed. Mr. Benson mentioned changing the language of the "secondary uses" to be only allowable through Special Exception and that the Commission can request no drive-thru windows. Mr. Solli agreed to speak with the property owner regarding those comments. Mr. Swift wondered why a wall sign would be necessary for the side of the building facing Greenbriar Lane. The signage discussion moved towards traffic flow, so Mr. Solli explained the traffic findings. He said that the proposed use is a low trip generator and would bring no significant impact on Greenbriar Lane. If a driveway were permitted to Greenbriar, Mr. Solli said the applicant would do some grading work to the corner with South Main that will improve sight lines for residents which was discussed as a big concern. Mr. Swift asked if many trees would remain on the site. Mr. Solli showed where the projected layout of the building is, and explained that some would also be removed for the grading by the road. The applicant will submit a robust landscaping plan when applying for the Site Plan. Mr. Mulholland opened the meeting up to the public. He first had Mr. Mitchell read a letter submitted by Neil Chaudhary, 1 Southbrook Lane (see attached).

Mary Ann Viesto, 20 Greenbriar Lane, said she was not against the intent of the application but did not want to have an entrance to the property from Greenbriar. She did not mind if there was an exit.

Barbara Kugler, 12 Greenbriar Lane, agreed with Mr. Chaudhary and did not want to Greenbriar to be used for an entrance or exit. She thought it would be a safety issue. She mentioned the inability to see to the right to make a left hand turn safely because of sight lines.

Mary Simpson, Employee of Mt. Pleasant Animal Hospital, said that the potential use for the veterinary facility is needed in the area and fully supported the application. She mentioned Dr. Vali's attention to detail

and aesthetics, saying that the site would be developed tastefully.

Kristin Gregory, also Employee of Mt. Pleasant Animal Hospital, said that the physical training that will be offered at the facility would create a draw of people from the region. She supported the approval for the zone change to allow an application for Site Plan to be heard.

Mr. Solli made some closing comments, clarifying that less than 5 accidents were had at the intersection near the site area. He would speak with his client regarding the requests discussed by the Commissioners for: changing secondary uses to Special Exception uses; no drive-thru windows and; no signage allowed on the Greenbriar side of the building. He will meet with Mr. Benson to alter some of the language.

Hearing no further comment, Mr. Mitchell made a motion to continue the hearing until the meeting of February 1, 2018 at 7:30 PM in Meeting Room #1, 3 Primrose Street, Newtown CT. Mr. Swift seconded and the motion was unanimously approved.

Mr. Mitchell read the call for the following:

Application 17.22 by General Real Estate Holdings, LLC., for a Zoning Amendment to the Town of Newtown Zoning Regulations to add Special Design District #6 (SDD6) pursuant to Article II Section 2, for a property located at 146 South Main Street, Newtown, CT, as outlined in a document titled “Proposed SMVDD-6 Zoning Amendment” dated December 14, 2017.

Mr. Benson explained that the application is in hopes to assist the Bank, who holds the property in foreclosure, to sell it so that the development of the building can continue. Construction on a previous approval was halted a few years back and the partially finished structure is turning into a blight case. He explained that the regulation for SDD6 allows someone to apply to use the building for all residential units (max. 20) instead of mixed use. Mr. Swift asked about an affordability component. Mr. Benson said he didn’t think the developers would be interested for such a small project.

Hearing no comment from the public, the hearing was closed at 9:00 PM. Mr. Mitchell made the following motion:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that Application 17.22 by General Real Estate Holdings, LLC., for a Zoning Amendment to the Town of Newtown Zoning Regulations to add Special Design District #6 (SDD6) pursuant to Article II Section 2, for a property located at 146 South Main Street, Newtown, CT, as outlined in a document titled “Proposed SMVDD-6 Zoning Amendment” dated December 14, 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 5, 2018. Ms. Cox seconded and the motion was unanimously approved.

Communications

Mr. Benson quickly described the proposal for an additional can on an existing utility pole near 78 South Main Street. Commissioners had no objection.

Election of Officials

Ms. Manville made a motion to nominate Mr. Mitchell for Chairman. Ms. Snellback seconded. No discussion was had. No vote was taken.

Mr. Swift made a motion to nominate Mr. Mulholland for Chairman. Mr. Meadows seconded. No discussion was had. No vote was taken.

Mr. Meadows made a motion to cease nominations. Mr. Mitchell seconded. A vote was taken:

MULHOLLAND... AYE

MITCHELL... AYE

SWIFT... AYE

COX...AYE

MANVILLE... AYE
MEADOWS...AYE

SNELLBACK...AYE

Commissioners discussed nominations and Ms. Cox refused to make a decision between the two candidates. Election of Officials will be continued at the next meeting of the Commission.

Other

Commissioners reviewed the calendar dates for 2018 and accepted them (see attached).

Adjournment

Mr. Meadows made a motion to adjourn. Mr. Mitchell seconded. The meeting of January 11, 2018 was adjourned at 9:30 PM.

*Respectfully submitted,
Georgia Contois, Clerk*



Georgia Contois <georgia.contois@newtown-ct.gov>

SSD5

2 messages

Neil Chaudhary via Newtown CT <vtstdmailer@vt-s.net>

Reply-To: Neil Chaudhary <neil@4newtown.com>

To: georgia.contois@newtown-ct.gov

Thu, Jan 11, 2018 at 10:01 AM

Submitted on Thursday, January 11, 2018 - 10:01am

Submitted values are:

Name: Neil Chaudhary

Email: neil@4newtown.com

Subject: SSD5

Message:

Dear Planning and Zoning Commission,

I am writing because I will be unable to attend tonight's meeting regarding "Special Design District #5 (SDD5) pursuant to Article II Section 2, for a property located at 94 South Main Street, Newtown, CT." If possible, I would like my letter to be read aloud during the meeting to ensure that my words are shared with all present.

The need for the town to expand our commercial tax base is clearly a goal described within our Plan of Conservation and Development. The use of Special Design Districts to accomplish this goal has proven to be effective. But, the plan also describes very specific safeguards to the character of the town. Some examples for the plan are quoted below:

- Manage residential development to enhance Newtown's present community character.

- The goal of the Town of Newtown is to protect and enhance its picturesque, rural, historic New England setting and attributes

- The overall character of Newtown's housing stock is one of very good quality, a very positive element of the Town's community character.

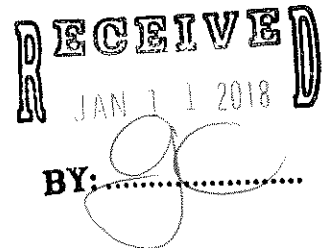
The Plan even acknowledges that the current language describing the South Main Design District is problematic with regards to other elements of the Plan:

- Regulations need to be crafted that protect adjoining residential areas and areas proposed for open space protection that enhance the visual character and vitality of this Design District.

Note that all bullets above are directly from the Plan of Conservation and Development.

However, I am certainly in favor of the SDD5 as I believe it can be done in a manner that is compatible with the segments of the plan I quoted above. I ask that the commission ensure that the quest for expanded business presence in Newtown does not unnecessarily impact the rural and residential character of our town. I refer specifically to the risk that these design districts will sprawl into the residential neighborhoods. With regards to the current plan there was some mention of the actual, yet-to-be-submitted, design spilling onto a small residential roadway (Greenbriar Lane) effectively taking a residential community and infusing it with commercial traffic. I believe the remedy for this intrusion starts with proper creation of the new zone and not just with the approval of the structure within the new district. These zones, functionally allowing commercial development on residential properties need extra care given that they are already unusual special exceptions on residential properties.

None of the previous design districts invaded local roadways with the exception of the enormous design on the former Fireside Inn property (SDD1). Walgreens(SDD3), SDD2, and the Tractor supply (SDD4) did not encroach into our residential communities. SSD3 and SSD4 are both designs with relatively large buildings and traffic flow in and out and were still approved without



accessways into our residential streets. SDD1 is indeed an exception—given the enormity of the project a second accessway was prudent but should be seen as just that—an exception.

Given the scope of SSD5 there is no need for access onto a small local road. The traffic flow in and out can easily be achieved by a single entryway from South Main St. I certainly understand that there may be a preference for an additional accessway for convenience and perhaps even for contingency but to the extent that all the other SSDs since the first have managed well without despoiling our residential roadways I ask the commission to ensure the same courtesy for this district.

Note too that Greenbriar Lane starts a segment of roadway along South Main Street that has one of the highest crash rates of any segment of roadway in Newtown (non-interstate). Crash rates at this segment of roadway are surpassed only by offramps from I-84 and the Flagpole.

I ask that the commission approve the SDD5 with an added conservation easement running the length of Greenbriar lane along the property. I understand that during construction a temporary accessway may be needed but it reasonable for this access to be landscaped afterwards and then be maintained as part of a conservation easement allowing for an expansion of commercial base while ensuring that the goals of the Plan of Conservation and Development are all met. This is will truly make this development a win for the town, the developer and the residents.

Sincerely,
Neil Chaudhary
1 Southbrook Lane , Newtown

cc: Andrew Gorkosky, Dan Rosenthal

The results of this submission may be viewed at:
<http://www.newtown-ct.gov/node/67003/submission/22563>

Georgia Contois <georgia.contois@newtown-ct.gov>
To: Neil Chaudhary <neil@4newtown.com>

Thu, Jan 11, 2018 at 12:58 PM

Neil,
I have submitted this for the file for the Commission to review at the meeting.
Thanks!

[Quoted text hidden]

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Georgia Contois
Secretary
Newtown Land Use
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Newtown, CT 06470
203-270-4276

3 PRIMROSE STREET
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TOWN OF NEWTOWN
PLANNING & ZONING COMMISSION

2018 Meeting Dates

January 4, 2018 - CANCELLED

January 18, 2018**

February 1, 2018*

February 15, 2018*

March 1, 2018*

March 15, 2018*

April 5, 2018

April 19, 2018

May 3, 2018

May 17, 2018

June 7, 2018

June 21, 2018

July 5, 2018

July 19, 2018

August 2, 2018

August 16, 2018

September 6, 2018

September 20, 2018

October 4, 2018

October 18, 2018

November 1, 2018

November 15, 2018

December 6, 2018

December 20, 2018

January 3, 2019

January 17, 2019

Meetings will be held at 7:30 pm in the Council Chambers, 3 Primrose Street, Newtown CT unless otherwise noted on the Agenda.

* Will be held in Meeting Room 1, 3 Primrose Street, unless otherwise noted on the Agenda

** Will be held in Meeting Room 3, 3 Primrose Street, unless otherwise noted on the Agenda