

***Borough of Newtown  
Zoning Commission  
Newtown, Connecticut***

**THESE MINUTES ARE SUBJECT TO APPROVAL BY THE BOROUGH OF NEWTOWN ZONING COMMISSION**

**Minutes from the Meeting of November 10, 2021**

Meeting of the Borough of Newtown Zoning Commission was held on Wednesday, November 10, 2021 at the Old Court Room, Edmond Town Hall, 45 Main Street, Newtown.

**Commission Members Present:** Doug Nelson, David Francis, Claudia Mitchell, Margaret Hull and Doug McDonald.

**Commission Members Absent:** none.

**Staff Present:** Rob Sibley, Borough ZEO, and Maureen Crick Owen, Clerk.

**Public:** 2 members of the public.

The meeting was called to order at 7:07 p.m.

**Public Hearing:**

*Applications of EK Legacy LLC for site development plan, special exception and village district approvals for construction of a 6,500 SF medical office building on property located at 27 Church Hill Road.*

The public hearing was opened at 7:08 p.m. Mr. Nelson read the authorization letter from EK Legacy to the Borough. Wayne Fontaine of Fontaine Construction gave authorization to Luke Mauro of Solli Engineering to make the presentation.

Mr. Nelson stated he lived within 1,000 feet of the subject property. Mr. Fontaine gave authorization for Mr. Nelson to sit on this application.

The following letters were read into the record:

Mrs. Mitchell read the letters from the Health Department and Mr. Sibley. Mrs. Hull read the letters from Newtown Planning and Zoning and Ron Bolmer, Borough Engineer. Mr. Francis read the summary portion of the letter from Hugh Sullivan, Borough Architect. Mrs. Owen read the letter from Chief James Viadero.

Mr. Mauro made the presentation regarding the proposed construction of a 6,500 square foot medical office building at 27 Church Hill Road. He said the property is about one acre and located in the professional zone. He said Hawley School is the neighbor on the North and East side of the property. The southern side fronts Church Hill Road and the westerly side abuts another professional building. He said there are

no wetlands on the site. They are proposing a single-story building with 36 parking spaces. They will relocate the driveway to the east side of the property. He said the property is serviced by public utilities. He said there will be landscaping and irrigation on the site and light fixtures on the building (which will be dark sky compliant). He said they received a variance from the Borough Zoning Board of Appeals regarding the lot frontage.

Mr. Mauro said that they have a different interpretation of the front yard setback that Mr. Sibley. Mr. Mauro said that if they had to move the building back it would impact the buffer and lose some parking spaces. Mr. Nelson clarified that the concept is to keep the street frontage similar.

With regard to the comments made by Mr. Sullivan in his letter, Mr. Mauro said they would defer talking about that now because they had received the letter so late.

Mrs. Mitchell raised the question about the buffer between Hawley School and their project. Mr. Mauro said that the buffer is so thick with limited number of species trees, you would be able to see. Mr. Francis encouraged applicant to speak to their neighbors, including Hawley School.

Mrs. Mitchell asked about the trees at the back of the property. Mr. Mauro said that some trees along the back can be saved but that the majority of the trees on the site will be coming down. He said they are proposing American cranberry bushes and inkberry to screen the dumpster area. He also said that the existing vegetation at the rear of the property will remain.

Mr. Sibley spoke to the buffer between Hawley School and proposed project. He said when he reviewed the plans, it was clear and visible and that is what School Resource Officers want.

Mr. Nelson asked why the building was not two-story. Mr. Fontaine said that the applicant does not want to pay for an elevator and it is cost prohibitive.

Mr. Nelson opened up the hearing to public comment.

Mr. Charley Kopp, 6 Wendover Road, asked for an explanation of the special permit application, which Mr. Nelson explained. He has concerns with the school but based on the conversation he feels it will be addressed.

Mr. Dan Lansing on behalf of Msgr. Robert Weiss, St. Rose of Lima expressed their concerns on the size of the building and keeping in character with the neighborhood.

Mrs. Mitchell spoke to the entrance of the building being in the back of the building. Mr. Nelson asked about lot coverage. Mr. Mauro said it was 58.6% and they include building, impervious areas, sidewalks, driveways and parking areas in their calculations. He also asked about lighting and said that the standard is 3K for outside lighting.

Mrs. Mitchell spoke about the number of lights on the building. Mr. Mauro said there was one pole light in the parking lot and 16 lights on the building. Mr. Nelson spoke about the sidewalk lighting and said that there is about 70' between poles so depending on the location of the nearest pole on adjoining property, they could be installing one or two poles.

Mrs. Hull asked if it was typical to have one light pole in this size parking lot and Mr. Mauro said yes.

Mr. Nelson said they would prefer that the sign details go through the sign permit process and Mr. Mauro agreed.

Mr. Nelson said that they have no idea on the types of materials will be used as it is not specified on the plans. Mrs. Mitchell asked that they consider an architectural flare to the front of the building as that is what residents will see from the road.

Mr. Fontaine said that the customer has a contemporary taste and will speak to him about what was discussed this evening.

Mr. Nelson asked about water/sewer demands and Mr. Mauro will provide that information.

The public hearing remained open and is continued to December 8, 2021 at 7:00 p.m. at the Old Court Room, Edmond Town Hall, 45 Main Street, Newtown.

#### MEETING:

Minutes: A motion was made by Mr. McDonald to approve the minutes of the meeting of October 13, 2021 of the Borough of Newtown Zoning Commission. The motion was seconded by Mrs. Mitchell and unanimously approved.

Chairman's Report – none.

Borough Zoning Enforcement Officer's Report – none.

#### Old Business:

1. Applications of EK Legacy LLC for site development plan, special exception and village district approvals for construction of a 6,500 SF medical office building on property located at 27 Church Hill Road – no discussion as public hearing is continued.

#### New Business:

1. 2022 Meeting Calendar – Mrs. Hull made a motion to approve the 2022 meeting schedule, seconded by Mrs. Mitchell and unanimously approved.
2. Any new proposed signs - none
3. Acceptance of any new applications – none

A motion was made and seconded to adjourn the meeting at 8:35 p.m.

The next regularly scheduled meeting will be held on Wednesday, December 8, 2021 at 7:00 p.m.

Respectfully Submitted,

Maureen Crick Owen  
Clerk