

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

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

Minutes of the Meeting of March 13, 2019

Minutes of the Meeting of the Borough of Newtown Zoning Commission on Wednesday, March 13, 2019 at the Borough Office, Edmond Town Hall, 45 Main Street, Newtown, Connecticut. Mr. Nelson called the meeting to order at 7:00 p.m.

**Commission Members Present:** Doug Nelson, David Francis, Margaret Hull and Brid Craddock.

**Commission Members Absent:** Claudia Mitchell and Kate Geerer Sclafani.

**Staff Present:** Maureen Crick Owen, Clerk.

Mr. Francis made a motion to approve the minutes of the February 13, 2019 meeting, seconded by Ms. Craddock and unanimously approved. The minutes for the November 14, 2018 and January 9, 2019 meetings were approved at the February 13, 2019 meeting.

Chairman's Report: Mr. Nelson stated that the Town is still in the process of approving the Borough Zoning Admin responsibilities to the Town's Land Use Department. The Borough has not paid the fee to the Town as of yet. Rob Sibley has gone through the vault and removed all the files and documents to the Municipal Center. He said that there has been interest in the Inn at Newtown property. Mr. Nelson said that Mr. Benson has been asked to give suggestions on what can be done with the existing police station. Mr. Nelson said that Jay Maher met with Mr. Benson regarding the Borough in advance of the Borough election.

**Old Business:**

1. Possible revisions to zoning regulations: Discussion took place regarding the attached propose changes to the Borough zoning regulations:

- a. 2.16E – self explanatory
- b. 2.08.A – Takes into consideration existing grade and new grade. Building departments commonly use finished grade in their calculations.
- c. 2.12.D – used in the regulations but not defined. Adding the definition.
- d. 2.16.A- used in the regulations but not defined. Adding the definition.
- e. 2.18.A - used in the regulations but not defined. Adding the definition.
- f. 2.18.P- Parking has occurred in setback so redefining definition. Left parking in and took out driveways out of the definition of "structure".
- g. 4.04 – clerical correction
- h. 4.04.C - addresses older buildings that existed prior to the zoning regulations.
- i. 4.11.D – delete.

- j. 5.04G – addresses lot coverage and makes more consistent.
- k. 6.07C.2 and 6.07D.1.b. – addresses signage on awnings.
- l. 6.07.F – clerical correction.
- m. 7.04.A – clarifies parking spaces within setback area.
- n. 7.11 – deleted in this paragraph and add to Article 12.
- o. 8.04.F.1 – clerical correction.
- p. 10.00.D.14 – clerical correction.
- q. 10.00.D.19 – adding paragraph regarding block face drawing being required with Village District application.
- r. 10.00.E – pulls all requirements for into one area and provides a check list for applicants.
- s. 12.05.A – changed the word “shall” to “may” in ... may be subject to a referral ...”.
- t. 12.07.3.c – puts sidewalk requirements into Village District article as was located elsewhere in regulations.

Mr. Francis made a motion to send the draft Borough regulation changes to Newtown Planning and Zoning Commission for their written comments, seconded by Ms. Craddock and unanimously approved. The public hearing for the changes will be at the April 10, 2019 meeting.

New Business:

- 1. Any new proposed signs: none.
- 2. Acceptance of any new applications: none.

Mr. Francis made a motion to adjourn the meeting at 9:07 p.m., seconded by Ms. Craddock and unanimously approved. The next regularly scheduled meeting will be held April 10, 2019.

Respectfully Submitted,

Maureen Crick Owen  
Clerk

## Draft Borough Regulation Changes – 03.13.19

2.16.E should be moved to 2.18.A

2.08.A add new paragraph “HEIGHT, BUILDING - the vertical distance from the average finished ground level, measured 10 feet from the building footprint to the highest point of the structure. When a building faces on more than one (1) street, the height shall be measured 10 feet from the average finished ground level of the building footprint on each street front.”

2.12.D add new paragraph “LOT COVERAGE - the entire area of a lot covered by buildings, storage, loading, impervious surfaces, driveways, sidewalks and parking areas.”

2.16.A add new paragraph “PARKING AREA - an authorized off-street area not within a building where motor vehicles are stored for the purpose of temporary, daily or overnight off-street parking. “

2.18.A add new paragraph “SETBACK - the horizontal distance from any street line or lot line to any building, structure or use, measured in a straight line from and perpendicular to such street or lot line.”

2.18.P replace with “STRUCTURE - shall mean anything constructed whether or not the resulting structure is raised above ground. It may be constructed of natural or artificial material. Structures shall include without limitation, swimming pools, tennis courts, garages, and parking areas.”

4.04. replace with “ PROVISIONS OF GENERAL APPLICATION

A. No business, commercial restaurant or professional use shall contain less than 800 square feet.

B. No discrete business, commercial, restaurant or professional building shall contain more than 6,500 square feet of gross floor area.”

4.04.C add new paragraph “C. A building greater than 6,500 square feet and existing prior to the adoption of these regulations, shall be allowed to increase its square footage by no greater than ten (10) percent provided that:

1. The existing building footprint is not increased and, if the existing part of the building to be increased in square footage is within the required or pre-existing setback, the setback non-compliance shall not be increased, and

2. The increased square footage is required for an existing use in said building, and

3. The increased building square footage is required by an existing tenant.

4. There has been no previous square footage increase.”

4.11.D. Delete entire paragraph. Outside sales, displays and storage.

Para 5.04.G **TABLE OF SPECIFIC REQUIREMENTS FOR BUILDINGS AND PLOTS**

Replace Percentage of lot area b. with

“b. Buildings, storage, loading, impervious surfaces, driveways, sidewalks and parking areas.”

Para 6.07.C.2. Replace last sentence with “The information on a wall or hanging sign, not to exceed (4) square feet, may be placed on an awning provided that a wall or hanging sign is not placed on the building. The wall sign, hanging sign, and signage on the awning shall be compatible with the distinctive character and architecture of the building.”

Para 6.07.D.1.b. Replace last sentence with “Up to (4) square feet of the wall or hanging sign allowance may be placed on an awning and will be included in the total sign allowance. The wall sign, hanging sign, and signage on the awning shall be compatible with the distinctive character and architecture of the building.”

6.07.F. replace with “For Municipal buildings and Municipal uses (in a residential zone), signage allowances of 6.07.C.1 shall apply for one free standing sign, . . .” rest of paragraph is unchanged.

Para 7.04.A. Add to existing paragraph “Parking spaces are permitted within a setback area provided that:

1. The parking spaces were in existence or approved prior to the inception of this amendment, or
2. The parking spaces are to the rear of the lot or building so as to minimize the visibility from the street, and
3. The parking spaces are no closer than 20 feet from a street line, and
4. The parking spaces are allowed only to the extent of meeting the minimum parking requirements. Parking within the setback shall be minimized to the maximum extent possible, and
5. The parking spaces abutting a residentially zoned property comply with the buffering requirements of 7.09.A.3 of these regulations unless 7.04.A.1 applies.
6. The parking spaces for Assisted Living Facilities comply with section 4.08.G of these regulations.

7.11 SIDEWALK REQUIREMENTS delete entire paragraph.

8.04.F.1 delete last sentence in **bold** “**Such conditions may include...the issuance certificate of occupancy.**”

10.00.D.14. replace with “14. The percentage of building coverage and lot coverage.”

10.00.D.19 add new paragraph "19. If filed with a Village District application, a block face drawing in accordance 12.F.5 Streetscapes."

10.00.E. replace with "E. In addition, the Commission shall obtain the following:

1. A statement from the Fire Marshall on firefighting feasibility of the proposed development, recommendations and/or approval.

2. An inland/wetlands license from the Conservation Commission, if required.

3. A statement from the Borough Engineer detailing recommendations and/or approval.

4. Approvals from the Water/Sewer Authority and Aquarion if required by the Commission.

5. A statement from the Police Department detailing recommendations and/or approval.

6. A statement from the Conservation Director detailing comments, recommendations and/or approval.

7. A statement from the Health Department on the water and wastewater disposal needs of the development, recommendations and/or approval.

8. A statement from the Planning and Zoning Commission that the application is in accordance with the Town of Newtown Plan of Conservation and Development.

9. A report from the Village District's consultant per 12.05A if required."

12.05.A replace with "All applications for new construction and substantial reconstruction within the District and in view from public roadways may be subject to a referral, at the discretion of the Borough of Newtown Zoning Commission, to an architect or . . ." rest of paragraph is unchanged.

12.07.3.c replace with "c. For all new construction and substantial reconstruction of buildings in the Village District, sidewalks are to be installed along the street frontage and through access ways. The Borough Sidewalk Ordinance is on file with the Borough Clerk and with the Newtown Town Clerk and sidewalk lighting is to be installed in accordance with the Village District Sidewalk Lighting Plan. Sidewalks must continue across driveways clearly designating the pedestrian's right of way. Sidewalk lighting is to be installed in accordance with the Village District Sidewalk Lighting Plan."