

***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 October 28, 2020**

Meeting of the Borough of Newtown Zoning Commission was held on Wednesday, October 28, 2020 via Zoom.

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

**Commission Members Absent:** None.

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

**Public:** Jay Maher, Borough Warden.

The meeting was called to order at 7:01 p.m.

It was noted that there was a typo on the agenda. The agenda item for approval of minutes referenced February 2, 2020 wherein it should have stated September 9, 2020. A motion was made by Mrs. Hull to approve the minutes of the September 9, 2020. The motion was seconded by Ms. Craddock and approved unanimously.

Chairman's Report: None.

Borough ZEO Report: None.

**Public Hearing:**

*Application by Borough of Newtown Zoning Commission for text amendment to the Borough of Newtown Zoning Regulations by: (1) adding definitions for "kitchen facilities", "roomer or boarder" and "transient lodging"; (2) adding Paragraph 4.07F regarding one accessory (attached) apartment to a single family dwelling; and (3) adding Paragraph 4.06L regarding one detached accessory apartment. Said proposed text amendments are more particularly described in a document entitled "Borough of Newtown Zoning Regulations for Accessory and Detached Apartments Draft (Rev 9/9/20)".*

Mr. Nelson referenced that there were a few changes to the agreement as presented at the 09.09.2020 meeting. He said the changes were minor.

Mr. Nelson read into the record the legal notice, the response from West COG dated 09.15.2020 and the response from the Newtown Planning & Zoning Commission dated 10.02.2020.

Mr. Nelson read into the record the three definitions from the proposed text amendment. The three definitions are: kitchen facilities, roomer or boarder, and transient lodging.

Mr. Francis read into the record Paragraph 4.07. Ms. Craddock read into the record 4.07G.

Mr. Francis asked if Paragraph 4.07F2 should not read “not more than 20 percent” instead of what was presented. Mr. Nelson said yes that a word had been dropped.

Mr. Nelson said that the word “occupants” was used instead of tenants” because occupants is more inclusive than tenants. An occupant is occupying space. Also, the amendment limits it to two occupants.

Mr. Francis raised that 4.07F.5 should be broken out into two paragraphs. He suggested that the occupants part of the paragraph be its own paragraph and that the off-street parking be its own paragraph. He said that 4.07G.D should be revised to reflect the same change.

Mr. Nelson said that they have been vetting this matter for several months. He said there are already existing accessory apartments. Per the text amendment owners have one year to comply. Mr. Francis asked what would occur if an owner did not comply. Mr. Sibley said that the first step is a notice of violation. Then a notice of cease and desist and then the final step is to take the matter to court and to get an order of judgment.

Mr. Nelson discussed transient lodging and that this is not addressed in the regulations, but they will start to discuss this soon. This applies to short term rentals like AirBnB, VRBO, and the like. He said that the Town will be looking into this too.

Mrs. Mitchell asked how many existing accessory apartments are there. Mr. Nelson replied with quite a few. He said he would speak to the Bee about getting an article in the Bee.

Mr. Maher spoke and said that the text amendment read well, that our zoning officer will work with the residents and that all was positive.

There was no other public to speak.

Mr. Nelson made a motion to approve the text amendment as proposed on 09.09.2020 with the amendments as discussed with an effective date of 11.11.2020. The motion was seconded by Mrs. Mitchell and unanimously approved.

Mr. Francis inquired about the trees taken down behind the building located at 11 Church Hill Road. Mr. Sibley said that the neighbor asked to take the trees down and that the neighbor wanted to plant new trees. He said that trees were shown on the original plan. He said the new owner will plant new trees per the plan. Mr. Sibley said

that at Town level he has control and gives the owner 8 months to plant. He referred to it as the "erosion sedimentation control". He said that if the members had no problem, he would do the same for the Borough.

Mr. McDonald made a motion to adjourn at 7:40 p.m., seconded by Mrs. Mitchell and unanimously approved.

The next regularly scheduled meeting will be held virtually on Wednesday, November 11, 2020 at 7:00 p.m.

Respectfully Submitted,

Maureen Crick Owen  
Clerk

To view the approved text amendment:

<https://drive.google.com/file/d/1YiXLq6A805ArgCij-MtVkZ0c0txHws6/view?usp=sharing>

To view the meeting: <https://drive.google.com/file/d/17GObtXTcJ6oQGFYG-tA5LyN0QIUmYtLN/view?usp=sharing>