



**TOWN OF NEWTOWN**  
**PLANNING & ZONING COMMISSION**  
**MINUTES**

Regular Meeting  
Council Chambers, 3 Primrose Street  
March 15, 2018, 7:30 P.M.

**Present:** Mr. Mitchell, Ms. Manville, Ms. Cox, Mr. Swift, Mr. Rosen, Mr. Meadows and Mr. Toby

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

Mr. Mitchell opened the meeting at 7:34 PM.

**Mr. Swift made a motion to continue the Public Hearings for Applications 17.21 by 79 Church Hill Road LLC for a Zone Change, 17.23 79 Church Hill Road LLC for a Special Exception and 18.01 by 79 Church Hill Road for a Zoning Text Amendment until April 5, 2018 at 7:30 PM in Council Chambers, 3 Primrose Street, Newtown, CT. Ms. Cox seconded and the motion was unanimously accepted.**

**Discussion and Possible Action Items**

**Application 18.02 by Riverwalk Properties, LLC.**, for an Amendment to the Special Exception previously approved on January 22, 2009, for 10-22 Washington Avenue, to modify the site plan for a residential community under the Incentive Housing Overlay Zone as shown on plans titled "The Riverwalk at Sandy Hook Village, Washington Avenue, Newtown, Connecticut" dated September 2015, last revised December 2017.

Frank Scinto, of Gager, Emerson, Rickart, Bower and Scalzo LLP, and Mike Burton, owner of Riverwalk Properties, LLC, spoke for the application. Mr. Burton explained that information requested by Land Use and the Town Engineer was submitted for review. There was an updated response from Deputy Director of Land Use, Rob Sibley, but the Town Engineer had not completed his review. He felt as though he had sufficiently addressed the concerns. He said that his team was in the audience and could answer any remaining questions.

Mr. Meadows mentioned his concern of the sidewalk being part of Phase II. Mr. Benson explained that the sidewalk is a favor of the builder, and not something that PZ can require. He recommended allowing the builder until Phase II to do the extra work. Mr. Meadows asked how residents would travel to the center of town in the mean-time. Mr. Burton said that there is a path through his property that is usable and outside of driving, residents can walk on the road for the length until the existing sidewalk begins. He hopes that there will not be a long lag time between phases for construction anyways. Mr. Swift asked about a plain concrete sidewalk during the first phase. Mr. Benson reiterated that the sidewalk is a favor and that PZ cannot require the work to be done.

Mr. Mitchell opened the hearing to the public. There was no one wishing to speak to the application.

**Mr. Swift made a motion to close the hearing. Ms. Cox seconded. The hearing was closed and discussion tabled until the next meeting.**

**Application 18.03 by GRC Construction, LLC.**, for two lot subdivision located at 70 Platts Hill Road, Newtown, CT to allow for construction as shown on a set of plans titled "Property Survey and Subdivision of Cherry Grove Farm, Prepared for GRC Construction LLC., Beaver Dam, Platts Hill and Palestine Road, Newtown, Connecticut" dated 2/22/18.

Mr. Mitchell began by explaining that any members of the public here to argue the roadwork construction that has been in the media, the Planning and Zoning Commission has no purview to require an applicant to do offside roadwork improvements.

Greg Carnrick, GRC Construction, LLC., verbalized his proposal and goal for the neighborhood through a largely open space subdivision, with the creation of one new building lot. Mr. Carnrick heard the concerns of the neighborhood and asked the Commission to have some patience with his proposal, as there are multiple steps involved. Mr. Carnrick presented a map showing a 12+ acre parcel of Open space and two lots at the corners. One lot will be the Cherry Grove Farm and buildings, and one lot will be new construction. This is the map for the subdivision application at hand. Mr. Carnrick then explained that with subdivision approval, he will be seeking two lot line revisions from the staff at the Land Use Department to make the two lots smaller, both less than 5 acres, which opens up another 17+ acres. The Applicant is requesting that the Town transfer the parcel of Open Space from the subdivision to join with the remaining acreage to the Newtown Forest Association for a preserve of almost 30 acres. The Commission reviewed Mr. Carnrick's proposal for the one building lot. He also explained that the buyer for the Cherry Grove Farm plans on doing a beautiful restoration.

Doug Samaha, owner of 3 Beaver Dam and 66 Platts Hill wanted to understand why while subdividing and building across the street, he was required to do road improvements. Mr. Benson explained that it was a request from the Town Engineer that Mr. Samaha agreed to. It was a similar request that came to Mr. Carnrick but he chose to fight it and the PZ Commission could not require it.

Bart Smith, 15 Great Hill Road, NFA, showed his support for the 'responsible development' and hoped it would serve as an example. He also explained the connection to land locked town open space, and thanked the community for their support. He said that the NFA is ready to close on the property and get a maintenance plan in place.

Dee Davis, NBLA, supported the conservation of land and said the NBLA will work with the NFA to maintain the trails used for the Hunter Pace and other events.

Bob Ekenrode, NFA, called the application a great collaboration and a perfect opportunity. He said any concerns for maintenance can be directed to him.

Mr. Swift made a motion to close the hearing. Ms. Cox seconded. All members were in favor and the hearing was closed.

Mr. Rosen was seated for Mr. Mulholland.

Mr. Mitchell explained that a handful of requirements for subdivision applications were able to be waived due to the simplicity of the project and the massive Open Space area.

Mr. Mitchell made a motion to waive the requirements for Cut and Fill Calculations, Maps of Parks and Playgrounds, Road Improvements, Lot pin bonds, Stormwater management, and the Archeological Study. Mr. Mitchell added that if a Resubdivision of the property came to the Commission for whatever reason, the waivers would be invalid and required for submission. Ms. Cox seconded. All members voted in favor of granting the above waivers.

Mr. Swift made a motion of the following:

**BE IT RESOLVED** by the Newtown Planning and Zoning Commission that Application 18.03 by GRC Construction, LLC., for two lot subdivision located at 70 Platts Hill Road, Newtown, CT to allow for construction as shown on a set of plans titled "Property Survey and Subdivision of Cherry Grove Farm,

Prepared for GRC Construction LLC., Beaver Dam, Platts Hill and Palestine Road, Newtown, Connecticut” dated 2/22/18.

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 April 9, 2018. Ms. Manville seconded and the motion was unanimously approved.

Ms. Cox made a motion to accept and authorize the transfer of the Open Space parcel as shown on maps titled “Property Survey and Subdivision of Cherry Grove Farm, Prepared for GRC Construction LLC., Beaver Dam, Platts Hill and Palestine Road, Newtown, Connecticut” dated 2/22/18, to the Newtown Forest Association. Mr. Swift seconded and the motion was passed unanimously.

### **Minutes**

No vote was taken.

### **Adjournment**

Mr. Meadows made a motion to adjourn. Mr. Swift seconded. The meeting of March 15, 2018 was adjourned at 9:25 PM.

*Respectfully submitted,  
Georgia Contois, Clerk*