



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

REGULAR MEETING  
Council Chambers, 3 Primrose Street  
June 21, 2018, 7:30 P.M.

**Present:** James Swift, Barbara Manville, Robert Mulholland, Corinne Cox, Benjamin Toby (A), Roy Meadows  
**Also Present:** Georgia Contois, Clerk, George Benson, Director of Planning

Mr. Swift opened the meeting at 7:33 PM. Mr. Toby was seated as a voting member.

**Signage for 75 Church Hill Road drive up window tenant-**

Mr. Benson introduced Justin Walsh of Tim's Sign and Lighting Service who presented a signage proposal for the Starbucks at 75 Church Hill Road. This included directional and drive through signage. Commissioners agreed that the majority of signs go against Newtown's policy of non-internally illuminated signs. Mr. Swift was concerned that the building was covered in too many signs. Commissioners discussed the menu boards which are backlit. Mr. Walsh will discuss other options with his client and continue the discussion at a further date.

**Discussion and Possible Action**

**Application 18.05 by Dauti Construction, LLC**, for a modification to the Site Development Plan for 95-99 Church Hill Road, Edona Commons, originally approved 6/19/2011, as shown on a set of plans titled "As-Built Plan, Sheet 2 of 6, Project#050-2005, Prepared for Dauti Construction, LLC 95-99 Church Hill Road, Newtown, Connecticut" dated 4/3/18.

No Applicant was present. Mr. Swift made a motion to continue the hearing to July 19, 2018. Ms. Manville seconded and all were in favor.

**Application 18.15 by Prithvi Real Estate Management LLC**, for a Zone Change for a property located at 94 South Main Street, from an R-1 Zone to the Special Design District #5 (SDD5), as shown on a map titled "Pleasant Paws Pet Center, 94 South Main Street, Newtown, Connecticut, Sheet 1.40" dated May 8, 2018.

With no new information, Mr. Mulholland made a motion to close the public hearing. Ms. Cox seconded. The hearing was closed.

Ms. Manville read the following resolution:

Be it resolved by the Newtown Planning and Zoning Commission that Application 18.15 by Prithvi Real Estate Management LLC, for a Zone Change for a property located at 94 South Main Street, from an R-1 Zone to the Special Design District #5 (SDD5), as shown on a map titled "Pleasant Paws Pet Center, 94 South Main Street, Newtown, Connecticut, Sheet 1.40" dated May 8, 2018 is hereby found consistent with the POCD. Be it further resolved that the application shall become effective July 16, 2018.

Mr. Mulholland made a motion to accept the resolution. Mr. Swift seconded. All members were in favor.

**Application 18.11 by Prithvi Real Estate Management, LLC** for a Special Exception for a property located at 94 South Main Street, for a veterinary facility as proposed in an application submitted to the Land Use Agency on May 16, 2018 and detailed on plans titled "Pleasant Paws Pet Center, 94 South Main Street, Newtown, Connecticut, Prepared for Prithvi Real Estate Management, LLC." dated May 8, 2018.

Applicants Kevin Solli, Solli Engineering, and Mike Kozlowski, Claris Construction, came forward with updated plans and renderings. They presented a new color (taupe) for the building, a lower roofline, and more greenspace than the original proposal. They added stone veneer to the base of the building and matched material on the retaining wall.

Mr. Swift stated that he was against any driveway that would exit to Greenbriar Lane. Ms. Manville explained that the driveway was changed to entrance only, and would be beneficial in an emergency situation. Mr. Benson agreed and said with no signage on that corner of the site, the driveway would not really be used compared to the main drive on South Main Street. Mr. Swift was concerned about saving a large tree that would need to be removed to improve the sightlines from the intersection of Greenbriar Lane and South Main Street. Mr. Solli explained that the sightlines are being improved due to the requests from the neighbors. It is independent of the site work necessary to the project. He also explained that the change in grade would make it nearly impossible to save the tree and comply with regulations. Mr. Benson agreed that the required grade would un-earth too much of the tree that it would die anyways. He remembered earlier discussion with the neighbors and agreed that this was something they really wanted and is a matter of safety that the applicant chose to include to their project as a courtesy. Mr. Solli agreed to revisit calculations and make adjustments if possible regarding the tree, but did not think it was likely that the tree can be saved.

Commissioners wondered if more lawn space could be opened up for pets that may need to use the bathroom before entering the building. Mr. Solli explained that there are extra parking spaces and if the Commission wanted to remove 2 or 3, that they can do so.

With no public wishing to speak on the application, Mr. Mulholland made a motion to close the hearing. Ms. Cox seconded. The hearing was unanimously closed.

Ms. Manville read the following:

BE IT RESOLVED by the Newtown Planning and Zoning Commission that Application 18.11 by Prithvi Real Estate Management, LLC for a Special Exception for a property located at 94 South Main Street, for a veterinary facility as proposed in an application submitted to the Land Use Agency on May 16, 2018 and detailed on plans titled "Pleasant Paws Pet Center, 94 South Main Street, Newtown, Connecticut, Prepared for Prithvi Real Estate Management, LLC." dated May 8, 2018 revised June 15, 2018 is hereby found consistent with the POCD and shall be approved with the following conditions:

1. The traffic engineer will review the sightline on Greenbriar Lane to attempt to save the large tree on the corner of Greenbriar Lane and South Main Street.
2. Remove three parking spaces to add more lawn area.

Be it further resolved that the application shall become effective July 16, 2018.

Ms. Cox made a motion to accept. Mr. Mulholland seconded. The Commission took a vote:

Mr. Swift... NAY                      Ms. Manville... AYE

Mr. Mulholland... AYE Mr. Toby... AYE

Ms. Cox... AYE

The motion carried and was approved.

**Application 18.10 by the Town of Newtown** for a Text Amendment to the Zoning Regulations of the Town of Newtown to remove the Fee Schedule – Appendix A, and remove § 8.07.321, 8.08.337, 8.08.439, 9.09.224, 10.01.320, 11.01.220, 12.01.320, 13.01.300, 13.02.300.

Ms. Manville read the following resolution:

Be it resolved by the Newtown Planning and Zoning Commission that Application 18.10 by the Town of Newtown for a Text Amendment to the Zoning Regulations of the Town of Newtown to remove the Fee Schedule – Appendix A, and remove § 8.07.321, 8.08.337, 8.08.439, 9.09.224, 10.01.320, 11.01.220, 12.01.320, 13.01.300, 13.02.300 is hereby found consistent with the POCD and shall be approved. Be it further resolved that this approval shall become effective July 16, 2018.

Mr. Mulholland made a motion to accept. Mr. Swift seconded and the motion carried unanimously.

**Application 18.13 by the Town of Newtown** for a Text Amendment to the Town of Newtown Zoning Regulations to § 8.03.610 Parking Schedule of Minimum Requirements, for Affordable Housing Developments and dwelling units for elderly families.

Ms. Manville read the following resolution:

Be it resolved by the Newtown Planning and Zoning Commission that Application 18.13 by the Town of Newtown for a Text Amendment to the Town of Newtown Zoning Regulations to § 8.03.610 Parking Schedule of Minimum Requirements, for Affordable Housing Developments and dwelling units for elderly families is hereby found consistent with the POCD and shall be approved. Be it further resolved that this approval shall become effective July 16, 2018.

Ms. Cox made a motion to accept. Mr. Toby seconded. All members were in favor.

**Application 18.14 by the Town of Newtown** for a Text Amendment to the Town of Newtown Zoning Regulations to include § “8.01.626 Affordable Housing Developments and dwelling units for elderly families, One single-facing or double facing sign, Size: 20 square feet”.

Ms. Manville read the following resolution:

Be it resolved by the Newtown Planning and Zoning Commission that Application 18.14 by the Town of Newtown for a Text Amendment to the Town of Newtown Zoning Regulations to include § “8.01.626 Affordable Housing Developments and dwelling units for elderly families, One single-facing or double facing sign, Size: 20 square feet” is hereby found consistent with the POCD and shall be approved. Be it further resolved that this approval shall become effective July 16, 2018.

Mr. Swift made a motion to accept. Ms. Cox seconded. All members were in favor.

### **Minutes**

Mr. Swift noted that the June 7, 2018 minutes reflect application 18.05’s public hearing being closed. He said that the motion should read “continued to the meeting of June 21, 2018” instead. He made a motion to accept the minutes as amended. Ms. Cox seconded and all were in favor. Ms. Cox made a motion to accept the minutes of May 3 and May 17, 2018. Mr. Toby seconded and the minutes were approved.

### **Communications and Correspondence**

#### **146 South Main Street (Summit) parking adjustment-**

Mr. Benson showed Commissioners a parking plan for 146 South Main Street which is a partially developed site that has recently been approved for an amended use. Previously, the building was commercial/retail on the first floor, and residential apartments on the second. It is currently being fitted out for all apartments. This reduced the parking need by 19 spaces, which was reflected on the plans. Commissioners agreed that the updated plan was sufficient and recommended Land Use’s approval.

### **Director of Planning Comments**

Mr. Benson explained that there will be a few more text amendments coming to the Commission. One that will be adjusted administratively, is an error with the M2A Zone. There was a text amendment approved in 2007 that was never added to the text. Commissioners agreed with the adjustment after reviewing the minutes from 2007.

### **Adjournment**

Mr. Meadows made a motion to adjourn. Mr. Mulholland seconded. All members were in favor and the meeting was adjourned at 9:10 PM.

*Respectfully submitted,  
Georgia Contois, Clerk*