

Planning and Zoning Regular Meeting

Council Chambers 3 Primrose St

November 1, 2018 7:30 pm

These minutes are subject to the approval of the Commission at their next meeting. All related documents are available in the Land Use Department.

Present: Donald Mitchell, James Swift, Barbara Manville, Benjamin Toby, Robert Mulholland , David Rosen, Roy Meadows

Absent: Corinne Cox

Also Present: Rob Sibley

Mr. Mitchell opened the meeting at 7:30 pm

Mr Mitchell opened the public hearing for Application 18.24 by MD57 Castle Meadow LLC, for a nine lot subdivision located at 57 Castle Meadow Rd, Newtown, CT as shown on a set of plans titled "Sunset Ridge, Newtown, CT, 57 Castle Meadow Road, a Subdivision Plan" dated July 18, 2018, revised August 31, 2018.

Larry Edwards, engineer, 227 Stepney Rd, Easton stated that at the last meeting the commission requested that the property be staked so the commissioners could walk the open space. This was done and he was told several of the commissioners had walked the property. The commission also asked for an Archeological review. This was done and no significance was found the letter is in the file.

Mr Swift inquired about access to open space from Jet Brook Road. Open space has about 150' frontage on the public access between the two cul de sacs. There is a 25' to 30' trail which will connect the open spaces.

Mr Mulholland noted there are no visible horse trails.

Public Participation:

Craig Flauk 77 Castle Meadow discussion on space between cul de sacs Is the space walkable and not wetlands? It is walkable and not wetlands. Mr Flauk would like the trees to remain as a buffer next to his driveway. The commission explained that they can make a request of the builders but that is all regarding placement of homes, driveways, trees and things of that nature. Builders must meet setback regulations (40') and health department regulations.

Dan Cologna – 4 Castle Lane – just wanted to verify that the revised plan is the one pending

Gary Gallatain – 6 Castle Lane wondering about the allowed uses of open space

Mr Sibley stated purpose is to protect wildlife,nature and historic findings.It is to preserve trails, and both bridle and pedestrian paths. It is for non motorized recreation.

Laurie Hollywood – 45 Castle Lane She moved here about 18 ½ years ago to have horses, nature loving community and enjoy urban lifestyle. She rides this property with her 9 year old daughter. She would like

trails put in for horses and dog walking. She stated that as trees were cut the woodchips could be spread to create the trails. They enjoy Newtown and would like to stay.

Dina Davis – 45 Orchard Hill Rd President of Bridle Lanes

She apologized to the owner she walked the open space, she thought she was allowed. She is sorry for trespassing. She would be very happy to help the land owner create trails like they did at Cherry Grove.

Kathy ?

Stated there was access from Jet Brook and it was used. The area between the cul de sacs was washed out. One of the houses keeps their garbage and recycling blocking the access. They had been promised access and they don't have it. It was an old logging road before the cul de sac.

Mr Swift moved to close the public hearing and Mr Mitchell 2nd. Approved

Mr Meadows was asked to fill in for Ms Cox.

Ms Manville read the resolution – Be it resolved by the Newtown Planning and Zoning Commission that application 18.24 by MD57 Castle Meadow LLC , for a nine lot subdivision located at 57 Castle Meadow Rd. Newtown, CT as shown on a set of plans titled “Sunset Ridge, Newtown, Connecticut, 57 Castle Meadow Road, a Subdivision Plan” dated July 18, 2018, revised August 31, 2018, September 17, 2018 and revised on October 8, 2018. IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND SHALL BE APPROVED.

BE IT FURTHER RESOLVED that the application will be approved with the following conditions:

1. A bond in the amount of \$202,500 shall be submitted to secure the following:

Road Bond	\$145,900
Lots Pins/Monuments	\$ 11,600
Fire Suppression Tank	\$45,000
2. The applicant shall record on the land records the easements for stormwater maintenance and fire tank maintenance in favor of the Town of Newtown along with the subdivision map.
3. The applicant shall record on the land records the transfer of any real property, as approved such as road widening and open space.
4. The applicant/developer shall permanently field mark the open space prior to the issuance of a building permit to permit potential homebuyers to visually identify the area. The Conservation Commission or its Agent shall specify the marker types and their locations.

BE IT FURTHER RESOLVED that the application shall become effective November 10, 2018.

Mr Mitchell moved the resolution and Mr Meadows 2nd the motion. Approved

Mr Mitchell stated that the Archeological review was appreciated. The applicant has hit all the marks and shown good faith with the neighbors.

Mr Mulholland would like to look at stone wall preservation of aesthetic value of historic stone wall.
Mr Swift commented that could deem a lot unusable.
Subdivision regulations state that you should give due regard to large trees, stone walls and natural features. A vote was called on the motion,
Meadows, Swift, Mitchell, Manville and Mulholland all Aye – Unanimous

Mr Mitchell moved to go into executive session to discuss 8-24 referrals - possible land acquisition by the town OS 15-02, OS 17-04 and OS 18-01 at 8:10 second by Mr Swift. Unanimous

Mr Mitchel resumed the meeting at 8:40.

Mr Mitchell moved to recommend approval of all three parcels , 15-02, 17-04 and 18-01, for purchase to Board of Selectmen. Second by Mr Mulholland.
Meadows, Swift, Mitchell, Manville and Mulholland all Aye – Unanimous

Mr Mitchell moved to accept the minutes of Sept 6, 2018 with the deletion of “with no further discussion, Mr Swift made a motion to close the hearing. Ms Manville seconded. The hearing was closed at 9:02PM.”(Which is located at the bottom of page 2.) Mr Swift seconded the motion.
Motion passed unanimous.

Mr Mitchell moved to accept the October 18th minutes with the following correction:

“Mr Swift moved that it be resolved by the Newtown Planning and Zoning Commission that Application 18.21 by the Town of Newtown for text amendments and corrections to the Town of Newtown Zoning Regulations for ITEM 7 as detailed in memo dated Oct 10, 2018 from Mr Benson, with the deletion of the words “should this be removed?” SHALL BE DENIED. Seconded by Mr Mitchell.

The Application to amend the regulations as proposed was Denied 4-1, with Ms Cox, Mr. Swift, Mr Mitchell and Ms Manville voting to approve the motion to deny the application and Mr Mulholand voting against the motion to deny the application.”

Approval of October 18th minutes with the above correction was unanimous.

With no more business to discuss Mr Meadow moved to adjourn and Mr Swift 2nd the motion. Passed unanimous

Adjourn 8:50

Respectfully submitted,
LeReine Frampton