

3 PRIMROSE STREET  
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**TOWN OF NEWTOWN**  
PLANNING & ZONING COMMISSION

MINUTES  
REGULAR MEETING

Thursday, March 3, 2022 at 7:00 p.m.  
Council Chambers, Newtown Municipal Center  
3 Primrose Street, Newtown, CT 06470

**Present:** Dennis Bloom, Connie Widmann, Brian Leonardi, Roy Meadows, David Rosen

**Absent:** Kersti Ferguson, Gregory Rich, Corrine Cox

**Staff:** Rob Sibley, Deputy Director of Planning, Helen Fahey, Clerk

Mr. Bloom called the meeting to order at 7:00pm.

Mr. Bloom appointed Mr. Leonardi, Ms. Widmann and Mr. Rosen to vote in place of Ms. Ferguson, Mr. Rich and Ms. Cox.

**Public Hearings**

**Application 22.01 by Area Cooperative Educational Services (ACES), for a Zone Change, for a property located at 63 South Main Street, so as to change the Zone from M-5 to Special Design District #11 (SMDD11) as detailed in documents submitted to the Land Use Agency February 14, 2022.**

Mr. Bloom requested to open and continue the application to the next public hearing on 3/17/22.

With no further comment, Mr. Meadows moved to open and continue the public hearing. Ms. Widmann seconded. All were in favor and the public hearing for Application 22.01 was continued to the next P&Z meeting on 3/17/22 at 7pm in the Council Chambers.

**Application 22.02 by Robert Sherwood, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new South Main Village Design District (SMVDD12) located at 35 South Main Street, so as to permit the construction of a residential building for apartments as described in documents submitted to the Land Use Agency dated received February 11, 2022 and revisions as received.**

**Application 22.03 by Robert Sherwood, for a Zone Change, for a property located at 35 South Main Street, so as to change the Zone from R-1/2 to South Main Village Design District #12 (SMVDD12) as detailed in documents submitted to the Land Use Agency February 11, 2022 and revisions as received.**

**Application 22.04 by Robert Sherwood, for a Site Development Plan, for a property located at 35 South Main Street, so as to permit apartments located within the South Main Village Design District, as demonstrated on a set of plans titled, "Town Walk Residences" dated February 8, 2022 and documents submitted to the Land Use Agency dated received February 11, 2022 and revisions as received.**

Rob Sherwood, Landscape Architect of Brookfield, CT, introduced the project. The parcel is 1.6 acres and Mr. Sherwood is proposing a two-story 20 unit residential apartment building which will be broken down into 12 one-bedroom units and 8 two-bedroom units. There will be 46 total parking spaces, allowing two spaces for every unit with six guest spots. He said there will be 34 open-air parking spots and two garages with 6 bays in each.

Mr. Sherwood addressed comments from the Town Engineer and Deputy Director of Planning. He said about 600 cubic yards of material will be exported off-site. Some of the landscaping will be changed to meet the new native plant regulations and the pole lights will get dropped down to 12ft. Mr. Sherwood also said the lighting on the garage will be switched to something more residential.

Mr. Sherwood described the emergency gate that will be two stone columns with a solid gate. Mr. Sherwood explained that all the water will drain out to the main system along South Main Street. The elevation of the building is roughly 33 ft. The building will have a san seam metal roof with architectural shingles.

Ms. Widmann asked if the project will have a low lighting profile and Mr. Sherwood confirmed. He explained that currently the plans show 16 ft. poles but that will be changed to 12ft. Also, the garage bays will have residential low lighting.

Mr. Meadows questioned if the garage bays will be assigned. Mr. Sherwood said they will be for rent by the tenants. Mr. Meadows expressed concern about residents who rent the garage spaces using the guest spaces during the daytime because they are closer to the building. Mr. Sherwood understood the concern and said more open-air parking spaces could be added if needed.

Mr. Meadows asked if the emergency access off Borough Lane could be used as another exit and Ms. Widmann said she understood the gate was to be locked and for emergency use only. Mr. Sherwood clarified that he is trying to avoid traffic on Borough Lane.

Mr. Leonardi questioned if the building height of 33 ft. is less than the original proposal. Mr. Sherwood said the height dropped 4 ft. and changed from 3 stories down to 2. He also added a deeper roof pitch. Mr. Rosen asked if the lot coverage changed at all. Mr. Sherwood said slightly.

Mr. Sibley asked what distinct changes exist in the text amendment from the previous application. Mr. Sherwood explained that compared to the previous application, this application has no affordable component or incentive housing. All the units are market-rate apartments.

Mr. Boom invited public comment.

Don Mitchell, 8 Budd Drive, spoke about protecting historic structures within the design district. The South Main Village Design District mentions protecting the distinctive character, landscape and historic structures within the South Main Street corridor and he felt the existing building is worth preserving.

Doug Nelson, 14 Boulevard, was interested in the temperatures of the lighting in the outside areas and parking areas. Mr. Nelson asked what the difference is in setbacks for this application and an incentive housing development.

Blanca Sheehan, 72 Queen Street, asked if the roof elevation includes the cupolas. Ms. Sheehan didn't agree with allowing tenants to use the Borough Lane exit as a cut-through to Queen Street. Ms. Sheehan also expressed curiosity about the tax base.

Wally Thomas, representing the estate of Wallace Thomas, 15 Borough Lane, noted typos in the application. He voiced concerns with the traffic study, telling the commissioners to look carefully at the traffic study as well as the rest of the plans to ensure everything matches. Mr. Thomas wondered where the sanitary sewer connects and questioned if it will go out onto Borough Lane or Main Street.

Mr. Sherwood responded to the public comments. He said he will get the details of lighting temperatures, the height of the building does not include the cupolas and he will address the typos in the application. Mr. Sherwood said he has no intention of putting traffic onto Borough Lane. In response to keeping the existing house, Mr. Sherwood said the existing home is not historical or significant. Mr. Bloom said the existing house is in bad shape.

Mr. Meadows motioned to continue the public hearing to March 17. Mr. Rosen seconded. All were in favor and applications 22.02, 22.03 & 22.04 were continued to the next P&Z meeting on 3/17/22 at 7pm in the Council Chambers.

**Application 22.05 by Michael Burton, for a Special Exception, for a property located at 24 Glen Road, so as to permit a mixed used development within the Sandy Hook Design District, as described in documents submitted to the Land Use Agency dated received February 14, 2022 and revisions as received.**

Michael Burton of Church Hill Road, Sandy Hook, presented his project, Dayton Crossing. He gave a background of the previous projects he has worked on in the area. Mr. Burton said he believes his previous projects along with this one are consistent with the town's POCD and contribute to the revitalization of Sandy Hook. The proposal calls for the existing building to be renovated and enlarged and two additional buildings to be added. The net results will be 50/50 commercial and residential use. Mr. Burton said the current Victorian-style house has nice features that will be preserved and an addition will get added to the back. The plan is to have a restaurant on the first floor and offices on the second floor. Due to the topography of the land the second floor will be accessible from the upper parking lot. The Victorian-style architecture will carry to townhouse building in the back and the color scheme will transform from yellow and blue to gray and dark black trim detailing.

Mr. Burton said that he is developing the site with the town-owned property at 28 Glen Road in mind. If anything ever comes with it, the grade of the upper lot will match the current grade of 28 Glen Road. There was a discussion on what could potentially come in the future with the two lots. Mr. Burton explained he hasn't proposed a streetscape in the front of his property at this time but if the town would bring the sidewalk down he would be willing to construct one.

Al Shepard, Engineer with Nowakowski, O'Bymachow, Kane & Associates (NOK), Shelton, addressed comments from the Town Engineer. The parking, island and curb radii were missing from the maps and are now provided in the supplemental maps. Also, the missing standard parking detail now shows they are 9x20. Mr. Shepard addressed one spot that the engineer was concerned would be a low spot on the driveway. The spot

elevation was added and the plan is to have a catch basin in the corner of the driveway. Mr. Shephard addressed some other features like a detailed galley system for storm water recharge on the property and he noted that the site lines are excellent coming out of the property. They are proposing an onsite septic system. Mr. Shephard explained the property is close to the sewers but not in the sewer district. There was a discussion about connecting the property to the sewer district.

Mr. Bloom asked if the property will be on town water and Mr. Shephard affirmed.

Mr. Rosen was curious if the radius was large enough for delivery trucks to turn around. Mr. Shephard noted that this topic is a focus in a lot of his recent projects. He said the entrance to the property is larger so they can come off Glen Road and the trucks can back out of the property into the lower parking area. He said the turn radius was not too tight.

Mr. Leonardi asked if the townhome units are equally sized and Mr. Shephard said yes. Mr. Leonardi wondered if there are current tenants in the commercial building. Mr. Burton said there is currently a chiropractor in the building. Mr. Leonardi asked if the intention of the addition is for a restaurant space. Mr. Shephard confirmed that the plan is to be able to accommodate a potential restaurant but office spaces are an option too. Mr. Leonardi asked if nine non-handicapped spots are sufficient for the potential use of the space. Mr. Shephard affirmed.

Mr. Leonardi had questions on the design of the retaining wall. Kevin Bennet, Architect with Bennett Sullivan Associates of Southbury, CT said the exact plans for the wall haven't been finalized. He said it will be a tapered wall but the materials have not been selected yet.

In reference to the residential apartments in the back, Mr. Rosen wondered what the line of site would be from the road and surrounding residents. Mr. Bennet said there are very few residents around the area, but the building will be dug into the hill on grade for the walk-out on the second floor, the first floor will be the garage under.

Mr. Meadows asked if there will there be any age or income restrictions on the apartments. Mr. Burton said the building will consist of six market value apartments.

Ms. Widmann wondered if the parking is sufficient enough for a potential restaurant. Mr. Burton confirmed it was and explained that the upper parking will be accessible to the building by a staircase and can help accommodate parking needs.

Mr. Bloom invited public comment.

Mary Colon, 11 Glen Road, expressed concerns with loud noise from early morning garage pickup. She also wondered if the food delivery trucks would have enough room to turn around.

Mr. Sibley asked what the height of the retaining wall will be. Mr. Shephard said the wall between the two parking areas will be from 8ft to 4ft.

With no further comment, Mr. Leonardi moved to continue the public hearing. Mr. Meadows seconded. All were in favor and the public hearing for Application 22.05 was continued to the next P&Z meeting on 3/17/22 at 7pm in the Council Chambers.

### **Approval of Minutes**

Mr. Meadows motioned to approve the minutes from the meeting of January 20, 2022 with the following note added to the bottom of all minutes going forward. "Please note any amendments or corrections to these minutes will be reflected in the subsequent meeting when the minutes are approved by the Commission."

Mr. Leonardi moved to amend the language to the following "Please note any amendments or corrections to these minutes will be reflected in the subsequent meeting's minutes when the minutes are approved by the Commission." Ms. Widmann seconded. All members were in favor and the minutes from January 20, 2022 were approved as amended.

*\* Please note any amendments or corrections to these minutes will be reflected in the subsequent meeting's minutes when the minutes are approved by the Commission.\**

### **Adjournment**

Mr. Rosen moved to adjourn. Mr. Meadows seconded. All members were in favor and the meeting was adjourned at 8:29 p.m.