



TOWN OF NEWTOWN
PLANNING & ZONING COMMISSION
MINUTES

Regular Meeting
Council Chambers, 3 Primrose Street
April 19, 2018, 7:30 P.M.

Present: Mr. Mitchell, Ms. Manville, Ms. Cox, Mr. Mulholland, and Mr. Toby

Also Present: George Benson, Director of Planning, Georgia Contois, Clerk

Mr. Mitchell opened the meeting at 7:32 PM.

Mr. Mitchell announced the withdrawal of PZ applications pertaining to 79 Church Hill Road, specifically Applications #17.21, #17.23 and #18.01.

Discussion and Possible Action

Application 18.04 by Aquarion Water Company, for a Special Exception to construct a public utility water tank at a property located at 13 Old Green Road, Newtown, CT, as detailed in the application and shown on a set of plans titled “Aquarion Water Company of Connecticut, Newtown Low Service Area Tank, 13 Old Green Road, Newtown, Connecticut” dated 3/16/18

Peter Olsen, Land Use Counsel, and Carolyn Giampe, Aquarion, joined the Commission with their team as the applicants. Mr. Olsen gave Commissioners a background of the state statute for public utilities which is a different process than a typical zoning permit. He said that the Commission is charged with the decision as a matter of public convenience and/or necessity, and health and safety welfare. Mr. Olsen clarified that the site design is requesting a few variances from traditional regulations. These items are: height requirements, driveway requirements and §11.01.420 Condition Requirements of the Newtown Zoning Regulations. He also showed a First Cut map that was approved but never filed. It is their intention to file the map and make the split official as long as the house is in sellable condition. Ms. Giampe gave Commissioners an overview of the high and low pressure areas of Newtown, and how the current system works. She also gave standards for pressure and noted that Newtown does not have adequate water storage, especially when factoring fire protection.

Ms. Giampe then noted locations that were pursued for the tank. She said the elevation had to be at approximately 600', and there was a small area that fit the necessary conditions. Nine locations were discussed, and by ruling out unfavorable conditions like the grade of the site, the property at 13 Old Green Road ended up the only one left and willing to work with Aquarion.

Sal Longo, Tata and Howard, explained the site, topography, and wetlands. The tank location is over 800' from the front setback. There will be no pumps, generators or outside lights. The current driveway will be extended to serve as an access easement to the tank, with a gate at the property line. There are sensors/technology that can be adjusted remotely to control the station. He also explained that the Fire Marshal requested fire hydrants to provide more efficient coverage of an area that is currently inadequate. Bill Anderos said that the utilities will be run underground including the water main. He submitted a packet of pictures of usual construction steps. The 'shock-crete' material can be stained with natural toned colors, and requires little to no maintenance. He hopes to have the project started by late summer, with the structure being erected in spring time. The water main will connect to the existing main in the area of Schoolhouse Road.

Matt Popp, Landscape Architect, presented the landscaping plan. He has worked with neighbors to adjust the original plan to their requests. Mr. Popp said the evergreens planed for screening will be about 25' at the time of planting. They grow approximately 18" a year. Mr. Olsen also noted it is not uncommon for the

Commission to request a three year period to revisit and replant or adjust as needed. Mr. Popp added that there will be a conservation easement places over the wetlands and forested area of the property. The applicants are happy to meet with any neighbors to adjust the planting plans as needed.

George Shawa did an appraisal of the area and found it to have an extremely minimal effect on neighboring properties, calling the tank a 'quiet, dark neighbor'. He had consulted local towns with water tanks and found neighboring properties sold for the same or higher than the appraised values.

The Commission opened the hearing to members of the public.

David and Karen Smiley, 2 Valley Field Road South, disagreed that the effect to their property value would be minimal. Mr. Smiley noted a comment made at an informational meeting regarding the potential sale of the Conti house for a low amount. Ms. Smiley talked about the height demonstration and difficulty to see the yellow tape that was put up. She was upset about the timeline that the application faces due to state statute and wanted more time to review. She wanted clarification of certain items like calculations, communities to be served by the water, location, and road re-pavement. The Smileys were also concerned about vandalism. Karlyn Sturmer, 22 Old Green Road, said the site-line from her property would not be obstructed by the landscaping. She thought it would be nice to include mailers to neighbors further than 500' from the property. She asked about the neighborhoods ability to hook up to the system, and had comments about the planting plan.

Kat Keene, 20 Old Green Road, suggested a location closer to the schools to help with fire prevention/coverage. She said Old Green is a dangerous road and a construction zone would make it more so. Ms. Keene agreed with Ms. Smiley's comment on notice timing and wanted the applicants to justify the location choice.

Pat O'Dell, 49 Schoolhouse Road, has a rear view of the property. He said his property is already affected by the Iroquois Pipeline and this would make matters worse. He said his property was one of the considered sites and he did not trust the company.

Ken Chimileski, 22 Walnut Tree Hill Road, asked about the species of turtle that were reported by a neighbor. He wanted clarification of calculations and how the restrictions for the driveway will work. Mr. Chimileski reminded Commissioners about the number of apartments and condos that have been approved in Newtown in the last handful of years.

Mr. Olsen and Ms. Giampe answered many of the concerns of the neighbors. Mr. Olsen reminded Commissioners that the 30 day time period is because of the sensitivity of a utility application, which is proposed out of necessity. He said that potential sale of the front lot (with the house) would have three sets of appraisals and would be reviewed by P.U.R.A., and there is still a potential that the house could be razed if there is damage. Ms. Giampe went back through calculations and standards to further explain the process. She also said that hookups to properties along the main with a lower elevation than the tank would have an option to join public water. She also clarified daily usage versus storage. The water would be used to service Newtown. She also clarified that the height/elevation of the tank is the most important part of this equation for choosing the location.

Nancy Gotschlich, 8 Teachers Ridge, asked why they didn't put it in a commercial location, noting opposition to the proposed location.

Matthew Montana, 12 Old Green Road asked about the fire protection and hydrants. He wanted to understand pressure requirements. Mr. Longo explained that the trucks actually pump mechanically from the hydrants so the atmospheric pressure would not affect it.

Mary Maday, 107 Haley Lane, asked if a tank on stilts had been contemplated. Ms. Giampe said no.

Ms. Giampe closed by saying that any house along the route to the main will be looked at for potential to hook into the system if the project is approved, and she would be in contact with those properties.

Mr. Mulholland made a motion to continue the hearing to a special meeting of April 26, 2018 in Council Chambers at 7:30 PM. Ms. Cox seconded. All members were in favor.

Minutes

Ms. Cox made a motion to accept the minutes of April 5, 2018. Ms. Manville seconded. Mr. Mitchell recused himself as he was not in attendance. All other members voted in favor.

Adjournment

Mr. Toby made a motion to adjourn. Ms. Cox seconded. All members were in favor and the meeting was adjourned at 10:00 PM.

*Respectfully submitted,
Georgia Contois, Clerk*