



TOWN OF NEWTOWN
PLANNING & ZONING COMMISSION

Meeting Minutes
REGULAR MEETING

Thursday, June 3, 2021 at 7:00 p.m.
Council Chambers, Newtown Municipal Center
3 Primrose Street, Newtown, CT 06470
Call in: 304-410-0160
PIN: 768 869 169#

Present: Don Mitchell, Roy Meadows, Corinne Cox (tele-confereced), Barbara Manville, Dennis Bloom, Andrew Marone, David Rosen

Staff: Rob Sibley, Deputy Director of Planning and Land Use, Mary Pendergast, Clerk

Mr. Mitchell called the meeting to order at 7:02 p.m.

Public Hearings

Application 21.15a by Country Camper of CT LLC, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new Special Development District (SDD10) located at 201 South Main Street, so as to permit retail sales and rental of camp trailers and motorhomes as described in documents submitted to the Land Use Agency dated received 5/3/21.

Application 21.15 by Country Camper of CT LLC, for a Zone Change, for a property located at 201 South Main Street, so as to change the Zone from M-1 to South Main Village Design District #10 (SMVDD10) as demonstrated on a set of plans titled, “Country Camper, Permitting Set, 201 South Main Street, Newtown” dated March 12, 2021 and all supporting documents submitted to the Land Use Agency dated received May 3, 2021 revised 5/20/21.

Application 21.16 by Country Camper of CT LLC, for a Special Exception, for a property located at 201 South Main Street, so as to permit uses as listed on document titled, “Special Development District #10 (SDD10)”, dated 5/3/21, located within the South Main Village Design District, as demonstrated on a set of plans titled, “Country Camper, Permitting Set, 201 South Main Street, Newtown” dated March 12, 2021 and all supporting documents submitted to the Land Use Agency dated received May 3, 2021 revised 5/20/21.

Mr. Brian Baker, Engineer, Civil 1 Engineers, Woodbury, CT spoke on the behalf of the applicant. Mr. Baker explained the lot will be used for RV tow-behinds, no vehicular service, mostly electric.

Mr. Mitchell spoke about protecting industrial and this would primarily split the lot. Mr. Baker stated it would take up the whole lot.

Mr. Mitchell raised concerns regarding the sign being LED. Mr. Mitchell would like to strike the words “a portion of” from the text. Mr. Baked stated the sign would be a digital programmable sign and they would like to keep things consistent with other locations. There was a discussion on the signage.

With no further questions, Mr. Bloom moved to close the public hearing on Applications 21.15a, 21.15 & 21.16. Ms. Manville seconded. All were in favor and the public hearings were closed at 7:21 p.m.

Mr. Mitchell read the following into the record:

BE IT RESOLVED that Application 21.15a by Country Camper of CT LLC, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new Special Development District (SDD10) located at 201 South Main Street, so as to permit retail sales and rental of camp trailers and motorhomes as described in documents submitted to the Land Use Agency dated 5/3/21 dated revised 5/20/21 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED with the following amendments:

(A) Mr. Mitchell moved to amend the resolution in section “Signs” of text amendment 1C, delete sub-section 1b. Mr. Meadows seconded.

(B) Mr. Mitchell moved to amend resolution in section “Location” of text amendment remove the wording “a portion of”. Mr. Bloom seconded.

The Commission voted as follows:

Don Mitchell - AYE

Roy Meadows - AYE

Corinne Cox - AYE

Barbara Manville - AYE

Dennis Bloom - AYE

The motion to approve Application 21.15a with amendments (A) & (B) carried unanimously.

BE IT FURTHER RESOLVED that the approval shall become effective June 26, 2021.

Mr. Mitchell read the following into the record:

BE IT RESOLVED that Application 21.15 by Country Camper of CT LLC, for a Zone Change, for a property located at 201 South Main Street, so as to change the Zone from M-1 to South Main Village Design District #10 (SMVDD10) as demonstrated on a set of plans titled, “Country Camper, Permitting Set, 201 South Main Street, Newtown” dated March 12, 2021 and all supporting documents submitted to the Land Use Agency dated received May 3, 2021 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED.

BE IT FURTHER RESOLVED that the approval shall become effective June 26, 2021.

Mr. Mitchell so moved. Ms. Manville seconded.

The Commission voted as follows:

Don Mitchell - AYE

Roy Meadows - AYE

Corinne Cox - AYE

Barbara Manville - AYE
Dennis Bloom - AYE

The motion to approve Application 21.15 carried unanimously.

Mr. Mitchell read the following into the record:

BE IT RESOLVED that Application 21.16 by Country Camper of CT LLC, for a Special Exception, for a property located at 201 South Main Street, so as to permit uses as listed on document titled, “Special Development District #10 (SDD10)”, dated 5/3/21, located within the South Main Village Design District, as demonstrated on a set of plans titled, “Country Camper, Permitting Set, 201 South Main Street, Newtown” dated March 12, 2021 and all supporting documents submitted to the Land Use Agency dated received May 3, 2021 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED.

BE IT FURTHER RESOLVED that the approval shall become effective June 26, 2021.

Mr. Bloom so moved. Mr. Meadows seconded.

The Commission voted as follows:

Don Mitchell - AYE
Roy Meadows - AYE
Corinne Cox - AYE
Barbara Manville - AYE
Dennis Bloom - AYE

The motion to approve Application 21.16 carried unanimously.

Application 21.13a by Robert Sherwood, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new Special Development District (SDD9) located at 185 South Main Street and 54 Pecks Lane, so as to permit the construction of a two-story residential building for apartment use with allowing additional uses typically permitted in the M1 zone as described in documents submitted to the Land Use Agency 4/30/21.

Application 21.13 by Robert Sherwood, for a Zone Change, for a property located at 185 South Main Street and 54 Pecks Lane, so as to change the Zone from M-1 to South Main Village Design District #9 (SMVDD9) as demonstrated on a set of plans titled, “Pecks Lane Apartments, Pecks Lane, Newtown CT” dated April 28, 2021 and documents submitted to the Land Use Agency dated received April 30, 2021.

Application 21.14 by Robert Sherwood, for a Site Development Plan, for a property located at 185 South Main Street and 54 Pecks Lane, so as to permit apartments located within the South Main Village Design District, as demonstrated on a set of plans titled, “Pecks Lane Apartments, Pecks Lane, Newtown CT” dated April 28, 2021 and documents submitted to the Land Use Agency dated received April 30, 2021.

Mr. Robert Sherwood, applicant, gave an overview of his application and reviewed the site plan. He discussed intent and space utilization. Mr. Sherwood described the apartments as town-home style apartments. He stated there will be parking for 2 per unit, but will provide more. The entrance will be from Peck's Lane. Mr. Sherwood discussed the landscape plan and buffers. Mr. Larry Edwards, discussed storm water mitigation and the septic system. He also stated that no one would be living above or below anyone. Mr. Edwards discussed unit layout.

Mr. Mitchell questioned the parking, is the set back from Peck's Lane 30 feet back?

Mr. Mitchell, for the record, stated that the Health Department's review was not available originally. Mr. Sibley noted that the plans have been completed by Zach in the Health Department. Residents who live at 57 Pecks Lane and 58 Pecks Lane requested to see the plans because they live adjacent to the property.

Mr. Keith Strychalsky, 57 Pecks Lane, strongly opposed the project. He stated the property is only 1.25 acres and has ledge and he has already dealt with the police station. He discussed increased traffic with buses and police. He feels single family residence is appropriate, not this proposal.

Ms. Kathleen Tsaousis, 58 Pecks Lane, is concerned with the blasting due to the ledge. Also concerned with traffic and parking for the complex.

Mr. Mitchell wondered if other projects could be proposed at this location. He was concerned with the special development districts. He discussed Section 6 having significant parcels that would likely have significant impacts. Mr. Mitchell would like to tighten up the language. Mr. Sherwood discussed property uses.

Mr. Mitchell spoke about town engineer involvement.

Ms. Cox discussed blasting. Mr. Sherwood replied there will no basements that have concerns regarding blasting.

Mr. Rosen asked what steps will there be to hide as much of the development? Mr. Sherwood replied put as far back from the road as possible and use evergreens and other landscaping. Will try to save many existing trees.

Mr. Mitchell asked how far the side of the building is from Main Street. Mr. Sherwood replied 87-ft from the back side and 104-ft from Pecks Lane.

Mr. Mitchell asked about the elevation. Mr. Sherwood showed drawings. There was a discussion about breaking up the façade.

Mr. Sibley stated the parcel is in the M1 zone and meets the regulations. Mr. Sibley stated the allowed lot coverage is 35% and they are at approximately 10%.

Mr. Rosen asked about square footage

With no further questions, Mr. Mitchell moved to close the public hearing on Applications 21.13a, 21.13 & 21.14. Mr. Meadows seconded. All were in favor and the public hearings were closed at 7:58 p.m.

Mr. Mitchell read the following into the record:

BE IT RESOLVED that Application 21.13a by Robert Sherwood, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new Special Development District (SDD9) located at 185 South Main Street and 54 Pecks Lane, so as to permit the construction of a two-story residential building for apartment use with allowing additional uses typically permitted in the M1 zone as described in documents submitted to the Land Use Agency 4/30/21 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED.

BE IT FURTHER RESOLVED that the approval shall become effective June 26, 2021.

Mr. Meadows so moved. Mr. Bloom seconded.

The Commission voted as follows:

Don Mitchell - AYE

Roy Meadows - AYE

Corinne Cox - AYE

Barbara Manville - AYE

Dennis Bloom - AYE

The motion to approve Application 21.13a carried unanimously.

Mr. Mitchell read the following into the record:

BE IT RESOLVED that Application 21.13 by Robert Sherwood, for a Zone Change, for a property located at 185 South Main Street and 54 Pecks Lane, so as to change the Zone from M-1 to Special Development District (SDD9) as demonstrated on a set of plans titled, "Pecks Lane Apartments, Pecks Lane, Newtown CT" dated April 28, 2021 and documents submitted to the Land Use Agency dated received 4/30/21 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED.

BE IT FURTHER RESOLVED that the approval shall become effective June 26, 2021.

Ms. Manville so moved. Mr. Meadows seconded.

The Commission voted as follows:

Don Mitchell - AYE

Roy Meadows - AYE

Corinne Cox - AYE

Barbara Manville - AYE

Dennis Bloom - AYE

The motion to approve Application 21.13 carried unanimously.

Mr. Mitchell read the following into the record:

BE IT RESOLVED that Application 21.14 by Robert Sherwood, for a Site Development Plan, for a property located at 185 South Main Street and 54 Pecks Lane, so as to permit apartments located within the Special Development District (SDD9), as demonstrated on a set of plans titled, "Pecks Lane Apartments, Pecks Lane, Newtown CT" dated April 28, 2021 and documents submitted to the Land Use Agency dated received 4/30/21 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED.

BE IT FURTHER RESOLVED that the approval shall become effective June 26, 2021.

Mr. Bloom so moved. Mr. Meadows seconded.

The Commission voted as follows:

Don Mitchell - AYE

Roy Meadows - AYE

Corinne Cox - AYE

Barbara Manville - AYE

Dennis Bloom - AYE

The motion to approve Application 21.14 carried unanimously

Application 21.17 by Kurt Lenahan, for a Special Exception, for a property located at 8 Toddy Hill Road, so as to permit proposed landscape storage bins, regrading for parking area, gravel driveway for site access, stockpile areas of landscaping materials, and a 25x100 ft. garage as demonstrated on a set of plans titled, "Site Plan, Kurt Lenahan, Map 45, Block 1, Lot 64, #8 Toddy Hill Road, Newtown, Connecticut" dated April 8, 2021 and all supporting documents submitted to the Land Use Agency dated received May 3, 2021.

Mr. Kurt Lenahan, applicant, gave an overview of the application.

Mr. Mitchell discussed the electronic files and the special exception. The regulations require architectural and details about the building. Mr. Mitchell suggested possibly amending this later to include the building.

Mr. Sibley stated they received a review for a Wetland permit and will look into which application should be used. Mr. Mitchell would like additional wetland information. Mr. Sibley stated it may be a Short Form and has not yet been decided.

Ms. Manville had a question about the existing building of mulch to get an idea of the size of the building they are requesting. Mr. Lenahan stated the garage will be 30 X 50 feet. It will be as large as the mulch area.

Mr. Lenahan spoke about leveling the area, grading the slope and building a wall for bins (not a retaining wall).

Mr. Meadows questioned the sharp hill and big hole and wanted an understanding of the plan. Mr. Lenahan discussed plans for flattening the hill, filling in the hole and leveling it to a 2:1 slope. Top soil will also go toward Toddy Hill.

Mr. Sibley stated the cut and fill calculations are on the site plan, net zero for what's being moved. Mr. Sibley discussed 21 Commerce in relation to what's being removed from this proposal.

Ms. Cox wants to know where the soil removal is going. Mr. Sibley stated there is no limit of removal of material.

The Commission discussed continuing the hearing. Mr. Mitchell made a motion to continue Application 21.17 to the next regularly scheduled P&Z Meeting on June 17, 2021 at 7:00 p.m. in the Council Chambers. Mr. Meadows seconded. All in favor.

Minutes

Mr. Mitchell moved to approve the minutes from the meeting of May 20, 2021. Ms. Manville seconded. All were in favor and the minutes from the meeting of May 20, 2021 were approved.

Adjournment

Mr. Rosen made a motion to adjourn. Mr. Bloom seconded. All members were in favor and the meeting was adjourned at 8:32 p.m.

*Respectfully submitted,
Mary Pendergast, Clerk*