

3 PRIMROSE STREET
NEWTOWN, CT 06470
TEL. (203) 270-4276



TOWN OF NEWTOWN
PLANNING & ZONING COMMISSION

MINUTES
MEETING MINUTES

Thursday, March 2, 2023 at 7:00 p.m.
The Council Chambers, Newtown Municipal Center
3 Primrose Street, Newtown, CT 06470

Present: Dennis Bloom, Roy Meadows, Corrine Cox, Gregory Rich, Brian Leonardi, Connie Widmann, David Rosen

Absent: Kersti Ferguson

Staff: Rob Sibley, Director of Land Use, Helen Muro, Clerk

Mr. Bloom called the meeting to order at 7:00 pm. Mr. Bloom designated Ms. Widmann to vote in replace of Ms. Ferguson.

Public Hearing

Application 23.03 by Newtown Children’s Museum dba Everwonder Children’s Museum, for a Text Amendment to the Zoning Regulations of the Town of Newtown, to allow public museums on lots with a minimum of 1 acre to §4.01.217 of the Zoning Regulations, as described in documents submitted to the Land Use Agency on February 10, 2023.

Aaron Coopersmith, Danbury CT, President of Everwonder Children’s Museum, explained the business is looking to move to 11 Mile Hill Road. Mr. Coopersmith said they are looking for text amendment to modify the BPO Zone to add a permitted use of public museums to the zone.

Mr. Bloom asked how big the building is and how much work needs to be done. Mr. Coopersmith said the building is 20,000 square feet and all up to date construction wise. Mr. Coopersmith said they hired a contractor and museum architect to design the inner space.

Mr. Meadows asked about the operation of the museum. Meredith Christos, 11 Cider Mill Road, Executive Director of Everwonder Children’s Museum. Ms. Christos said the museum has been in operation since 2015 and they are looking for a bigger space to grow into. The new building has ample parking and space. Mr. Meadows asked what kind of audience they cater to. Ms. Christos said children and their families between 0-10. They hoping to expand to age 12 with after school programming. Mr. Meadows asked what the hours of operations are. Ms. Christos said they are open Tuesday – Friday from 9am-3pm and weekends from 10am – 3pm plus occasional special events.

Mr. Leonardi asked what the daily volume of visitors is. Ms. Christos said the museum averages around 100 people a day and 180 people on a busy weekend day. Visiting is time ticketed and

spread out to limit the amount of people visiting at once. Ms. Christos said currently the museum averages about 28-30k visitors a year but a bigger space has projections at 60k visitors a year.

Ms. Cox asked what the cost is to get in and Ms. Christos said \$8 a person.

Mr. Meadows asked how many people are on staff. Ms. Christos said there are 2 full time employees and 2 part time employees plus a lot of volunteers. With the new space, Ms. Christos said about 5 more part time employees would be needed.

Mr. Leonardi asked if the adjacent intersection of the new building is a concern for them. Ms. Christos said there is no concern because of the rolling attendance throughout operating hours.

Ms. Widmann asked how many buildings would be affected in the BPO zone from the text change. Mr. Coopersmith said the amendment would allow 14 potential locations to have a museum in the BPO Zone.

Mr. Sibley clarified the Text Amendment is to add a permitted use to the BPO zone. Permitted uses have to apply for a site development plan, so if the text amendment being discussed today is approved the applicants will come back to the Commission with a site development plan.

Mr. Leonardi mentioned considering changing the text from a permitted use to a special exception.

Mr. Bloom invited public comment.

Hearing none, Mr. Meadows moved to close the public hearing on Application 23.03. Ms. Widmann seconded. All were in favor and the public hearing was closed at 7:15pm.

Mr. Leonardi made a recommendation to modify the text amendment to a Special Exception to allow public museums on lots with a minimum of 1 acre to §4.01.316 of the Zoning Regulations. Ms. Widmann so moved the motion. Mr. Meadows seconded.

The Commission voted as follows:

Dennis Bloom - AYE

Roy Meadows - AYE

Corrine Cox - AYE

Gregory Rich - AYE

Connie Widmann – AYE

The motion to approve Application 23.03 carried 5-0.

Application 23.04 by The Town of Newtown, for a Zone Change located at 90 Mount Pleasant Road, so as to change the Zone from R-2 to M-2A.

Mr. Sibley handed out copies of support letters from the record file to the Commission (see attached).

Mr. Meadows said after walking and analyzing the property he feels the uses in M-2A are fairly limited on the property due to the slope, but he is in support of the property owner.

Mr. Rosen agreed with Mr. Meadows. Mr. Rosen said he thinks the zone should be changed back to keep it how it was but urged the commission to look at the area during the next POCD review to decide what the plan for that section of Town should be.

Mr. Leonardi noted the original application was inconsistent with the POCD because the Town specifically identified that area as an area for industrial use so it makes sense to change it back.

Mr. Rich said many constituents will be against any project proposal in that area based on traffic. Mr. Bloom said residential areas generate less traffic.

Mr. Rosen said property owners have the right to develop.

Mr. Bloom invited public comment.

Carrie Kugler, 12 Hawthorne Hill Road, said the idea that residents will object any proposal on that site is a misconception.

Mark Damico, 7 Tory Lane, asked if the application is just to change the zone back on the M-2A. and the commission affirmed. Mr. Damico agreed with Ms. Kuglers statements. Mr. Damico agreed that the property's purpose should be evaluated during the next POCD review.

Pat Napolitano, 13 Whippoorwill Hill Road, said he and his neighbors understand and support that property owners have the right to develop. Mr. Napolitano spoke in favor of the zone change.

Mr. Meadows moved to close the public hearing on Application 23.04. Ms. Cox seconded. All were in favor and the public hearing was closed at 7:38pm.

Mr. Meadows moved to approve Application 23.04 as presented. Ms. Cox seconded.

The Commission voted as follows:

Dennis Bloom - AYE

Roy Meadows - AYE

Corrine Cox - AYE

Gregory Rich - NAY

Connie Widmann – AYE

The motion to approve Application 23.04 carried 4-1.

Review and Discussion of Potential Text Language Modifications in Newtown Zoning Regulations

Mr. Sibley spoke about text language for food trucks, now called, itinerant mobile food establishments by the Connecticut Public Health Department. Mr. Sibley said our regulations currently don't define food trucks. Mr. Sibley brought up for consideration, temporary uses, questions such as how many days a year the permits can be taken out for & how many food trucks can be allowed and the special event permit process.

Mr. Bloom said he thinks food trucks owners should pay taxes by licensing their businesses in Newtown. Mr. Bloom said he thinks food trucks should be allowed at Fairfield Hills.

Mr. Sibley said this potential language discusses public consumption.

Mr. Leonardi asked what department the new definition is tied to and Mr. Sibley said the State of Connecticut Public Health Department. Mr. Leonardi asked if other towns have been looked at to see how they handle food truck regulations. Mr. Sibley said he has reached out to West Hartford. The commissioners brought up Bethel, New Milford and Danbury as well.

Mr. Rich asked who the special event permit is issued to, the food truck owner or organizer of the event. Mr. Sibley said Article 11, Section 8 states the sponsoring organization is responsible for the permit. Mr. Rich expressed concern with a property constantly applying for a permit to have a food truck. Mr. Sibley noted the commission can set limits to the numbers of times a year the permit can be requested and the amount of food trucks that are allowed.

Approval of the Minutes

Mr. Meadows moved to approve the minutes of February 16, 2023. Mr. Rich seconded. All were in favor and the minutes of February 16, 2023 were approved.

Adjournment

Mr. Rosen moved to adjourn. Mr. Leonardi seconded. All members were in favor and the meeting was adjourned at 8:04 p.m.

** 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. **

*Respectfully submitted,
Helen Muro, Clerk*

February 23, 2023

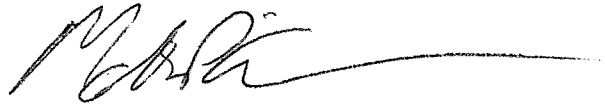
Mr. Dennis Bloom, Chair
Newtown Planning & Zoning Commission
Newtown Municipal Center
3 Primrose Street
Newtown, CT 06470

Re: 90 Mt Pleasant Road Zone change

Dear Mr. Bloom,

90 Mt. Pleasant Road, LLC is the owner of the property at 90 Mt. Pleasant Road, Newtown, Connecticut. We support the Town's request to rezone the property from its current R-2 zone to the zone it formerly occupied, M-2A. We believe the change to be in the best interest of the Town going forward.

Matt D'Amico

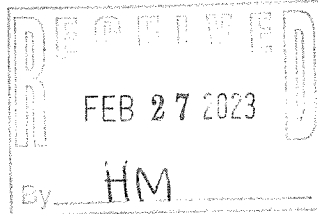
A handwritten signature in black ink, appearing to read 'Matt D'Amico', with a long horizontal line extending to the right.

Manager, 90 Mt. Pleasant Road, LLC

Cc: Rob Sibley, Land Use Director, Town of Newtown

February 23, 2023

Mr. Rob Sibley
Land Use Agency
3 Primrose Lane
Newtown, CT



Dear Mr. Sibley,

I am writing about the property at 90 Mt. Pleasant Rd. which currently is zoned R2. I would prefer that this site be returned to the previous M2a zone, light industrial development. This would allow for a low impact facility which would be consistent with town plans for this area and also would have minimal impact on the traffic in that area which is already overburdened.

Thank you for your consideration to this matter.

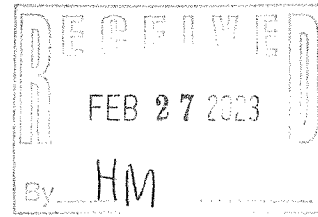
Mary Wilson

Mary Wilson
12 Whippoorwill Hill, Newtown
203-417-1109

Patrick Napolitano
13 Whippoorwill Hill Road
Newtown Ct, 06470

February 22, 2023

Mr. Rob Sibley, Deputy Director of Planning
Land Use Agency
3 Primrose Street
Newtown CT 06470



I am writing you regarding the recent zone change at 90 Mount Pleasant Road, from an M2A, light industrial zone, to an R2 residential zone. Having spent numerous hours researching the various issues surrounding the Farrell proposed apartment complex, I have become familiar with many of the issues with this type of development.

There were very few positives to be gained by the Town of Newtown or the residents, but far more negatives instead for the surrounding area. I will not go into the negative issues as they have all been read into the record during the P&Z meetings. If this was to remain an R2 zone it would continue to be a danger to this community since it could still become an apartment complex under the 8-30g regulations. That would create the traffic dangers to a large segment of the general population. This would only be true if 90 Mt. Pleasant Rd. remained an R2 Zone.

Safe to say that the general public would be at risk regarding the traffic, but even worse, the many school children entering and leaving a stopped school bus in the middle of that hill would be also. This would not be an issue if it were zoned as M2A, Light Industry.

With this in mind, I am asking the board to please change the zone at 90 Mount Pleasant Road back to M2A from its present R2 zone. This would eliminate the potential danger to a school bus due to the hazard of trucks trying to stop coming up the steep hill or those braking in a short distance after cresting the hill heading west.

Sincerely,



3/2/23, 3:24 PM

Town of Newtown Mail - Form submission from: Contact the Planning and Zoning Commission



Helen Muro <helen.muro@newtown-ct.gov>

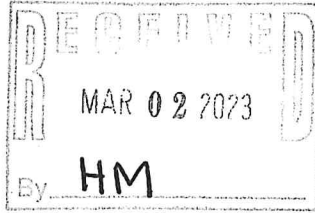
Form submission from: Contact the Planning and Zoning Commission

1 message

Newtown CT via Newtown CT <cmsmailer@civicplus.com>
Reply-To: Newtown CT <cmsmailer@civicplus.com>
To: hfahey <helen.fahey@newtown-ct.gov>

Thu, Mar 2, 2023 at 2:41 PM

Submitted on Thursday, March 2, 2023 - 2:41pm
Submitted by anonymous user: 66.189.72.66
Submitted values are:



Name: Sherry Bermingham
Email: sdbham@gmail.com
Subject: zoning changes for 90 Mt. Pleasant
Message:

Congratulations to Rob Sibley on his promotion.
Please revert the zoning to industrial from residential. Then please find a plan that would work for the location. An urgent care and accompanying medical offices would be a good fit.
In going forward, please do NOT change the zoning unless the plan is being approved.
Thank you.

The results of this submission may be viewed at:
<https://www.newtown-ct.gov/node/67003/submission/158431>

SANTHA T. KURIEN, M.D., F.A.P.A.

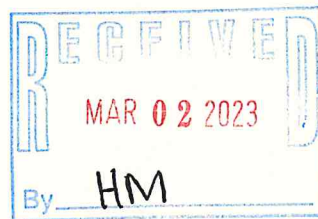
EDGEWOOD PROFESSIONAL CENTER
27 HOSPITAL AVENUE
SUITE 304
DANBURY, CT 06810

Diplomate, American Board of Psychiatry & Neurology in Psychiatry
Added qualification in Geriatric Psychiatry by ABPN
Certified in Advanced Clinical Psychopharmacology by ASCP

Tel. (203) 743-3833
Fax (203) 797-0107

February 27, 2023

Rob Sibley
Land Use Agency
3 Primrose Street
Newtown, CT 06470



Dear Mr. Sibley,

I am a resident of Newtown, CT. I am writing to you to express my feelings regarding the zoning designation of 90 Mount Pleasant Road. It is my wish that this property is changed back to an M2a zone from its present status as R2 residential zoning. I prefer the M2a over the R2 zone as it takes away the ability of a developer to use the 8:30g provision.

Thank you for your attention on this matter.

Sincerely,

Santha Kurien, MD