

3 PRIMROSE STREET  
NEWTOWN, CT 06470  
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**TOWN OF NEWTOWN**  
PLANNING & ZONING COMMISSION

MINUTES

MEETING VOTING RECORD

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

**Present:** Dennis Bloom, Roy Meadows, Corrine Cox, Gregory Rich, Kersti Ferguson, David Rosen

**Absent:** Brian Leonardi, Connie Widmann

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

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

**Public Hearings**

**(Continued) Application 23.01 by Highway 202, LLC, for a Text Amendment to the Zoning Regulations of the Town of Newtown, to remove Cannabis Establishment from Prohibited Uses, to delete the definition of Cannabis Establishment in Article 1 Section 2 Interpretations and Definitions, to add Cannabis, Cultivator, Dispensary Facility, Cannabis Food and Beverage Manufacturer, Hybrid Retailer, Micro-Cultivator, Person, Cannabis Product Manufacturer, Cannabis Product Packager and Cannabis Retailer to Article 1, Section 2 Interpretations and Definitions, and to add dispensary facility, hybrid retailer, and cannabis retailer as a Special Use in the M-1 District, as described in documents submitted to the Land Use Agency dated received January 3, 2023.**

Mr. Rich moved to close the public hearing on Application 23.01. Mr. Meadows seconded. All were in favor and the public hearing was closed at 7:21pm.

Ms. Cox read the following into the record:

*BE IT RESOLVED that Application 23.01 by Highway 202, LLC, for a Text Amendment to the Zoning Regulations of the Town of Newtown, to remove Cannabis Establishment from Prohibited Uses, to delete the definition of Cannabis Establishment in Article 1 Section 2 Interpretations and Definitions, to add Cannabis, Cultivator, Dispensary Facility, Cannabis Food and Beverage Manufacturer, Hybrid Retailer, Micro-Cultivator, Person, Cannabis Product Manufacturer, Cannabis Product Packager and Cannabis Retailer to Article 1, Section 2 Interpretations and Definitions, and to add dispensary facility, hybrid retailer, and cannabis retailer as a Special Use in the M-1 District, as described in documents submitted to the Land Use Agency dated received January 3, 2023. IS HEREBY FOUND INCONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND SHALL BE DISAPPROVED.*

*BE IT FURTHER RESOLVED that the denial shall become effective February 25, 2023.*

Ms. Cox so moved. Mr. Meadows seconded.

The Commission voted as follows:

Dennis Bloom - AYE  
Roy Meadows - AYE  
Corrine Cox - AYE  
Gregory Rich - AYE  
Kersti Ferguson - AYE

The motion to disapprove Application 23.01 carried 5-0.

**(Continued) Application 23.02 by Highway 202, LLC, for a Special Exception Use located at 255-259 South Main Street, so as to permit the use of a Cannabis Retailer, as demonstrated by supporting documents submitted to the Land Use Agency January 3, 2023.**

Mr. Rich moved to close the public hearing on Application 23.02. Mr. Meadows seconded. All were in favor and the public hearing was closed at 7:22pm.

Ms. Cox read the following into the record:

*BE IT RESOLVED that Application 23.02 by Highway 202, LLC, for a Special Exception Use located at 255-259 South Main Street, so as to permit the use of a Cannabis Retailer, as demonstrated by supporting documents submitted to the Land Use Agency January 3, 2023. IS HEREBY FOUND INCONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND SHALL BE DISAPPROVED as being a prohibited use in the Newtown Zoning Regulations.*

*BE IT FURTHER RESOLVED that the denial shall become effective February 25, 2023.*

Ms. Cox so moved. Mr. Rich seconded.

The Commission voted as follows:

Dennis Bloom - AYE  
Roy Meadows - AYE  
Corrine Cox - AYE  
Gregory Rich - AYE  
Kersti Ferguson - AYE

The motion to disapprove Application 23.02 carried 5-0.

## Other Business

**Discussion on the potential motion to rescind vote on Application 22.26 by Farrell Building Company, for a Special Exception located at 90 Mount Pleasant Road, for the construction of 200 rental apartments in 10 buildings with associated driveways, parking and Clubhouse as shown on plans entitled “Site Development Plan Approval Drawings, Newtown Commons”, dated 4/28/2022, Rev. 10/17/2022 and 11/09/2022 and supporting documents submitted to the Land Use Agency October 17, 2022.**

**Potential vote on Application 22.26 by Farrell Building Company, for a Special Exception located at 90 Mount Pleasant Road, for the construction of 200 rental apartments in 10 buildings with associated driveways, parking and Clubhouse as shown on plans entitled “Site Development Plan Approval Drawings, Newtown Commons”, dated 4/28/2022, Rev. 10/17/2022 and 11/09/2022 and supporting documents submitted to the Land Use Agency October 17, 2022.**

Mr. Meadows made a motion to rescind the vote on Application 22.26. Mr. Rich seconded. All were in favor.

Ms. Cox read the following into record:

*BE IT RESOLVED that Application 22.26 by Farrell Building Company, for a Special Exception located at 90 Mount Pleasant Road, so as to permit the construction of 200 rental apartments in 10 buildings with associated driveways, parking and Clubhouse as shown on plans entitled “Site Development Plan Approval Drawings, Newtown Commons”, dated 4/28/2022, Rev. 10/17/2022, 11/09/2022 and 12/08/2022 and supporting documents submitted to the Land Use Agency October 17, 2022 and revisions as received. IS HEREBY FOUND INCONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND SHALL BE DISAPPROVED for the following reason:*

- *That traffic report provided by the applicant did not provide suitable Health and Safety Standards for the additional traffic.*

*BE IT FURTHER RESOLVED that the denial shall become effective February 25, 2023.*

Ms. Cox so moved.

Mr. Meadows moved to amend the motion to the affirmative. Mr. Rich seconded. All were in favor.

Ms. Cox read the following into record:

*BE IT RESOLVED that Application 22.26 by Farrell Building Company, for a Special Exception located at 90 Mount Pleasant Road, so as to permit the construction of 200 rental apartments in*

*10 buildings with associated driveways, parking and Clubhouse as shown on plans entitled “Site Development Plan Approval Drawings, Newtown Commons”, dated 4/28/2022, Rev. 10/17/2022, 11/09/2022 and 12/08/2022 and supporting documents submitted to the Land Use Agency October 17, 2022 and revisions as received. IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND SHALL BE APPROVED.*

*BE IT FURTHER RESOLVED that the approval shall become effective February 25, 2023.*

Ms. Cox so moved. Mr. Rich seconded.

The Commission voted as follows:

Dennis Bloom - NAY  
Roy Meadows - AYE  
Corrine Cox - NAY  
Gregory Rich - AYE  
Kersti Ferguson - NAY

The motion to approve Application 22.26 did not carry 3-2.

### **Approval of the Minutes**

Mr. Meadows moved to approve the minutes of January 19, 2023. Mr. Rich seconded. All were in favor and the minutes of January 19, 2023 were approved.

### **Adjournment**

Mr. Rosen moved to adjourn. Mr. Bloom seconded. All members were in favor and the meeting was adjourned at 7:50 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*