



TOWN OF NEWTOWN
PLANNING & ZONING COMMISSION

MINUTES

REGULAR MEETING

Council Chambers

3 Primrose Street, Newtown, CT 06470

August 15, 2019 at 7:30 p.m.

Present: Don Mitchell, James Swift, Barbara Manville, Roy Meadows, Benjamin Toby, David Rosen

Absent: Corinne Cox

Also Present: Christine O'Neill, Clerk

Mr. Mitchell called the meeting to order at 7:32 p.m.

Public Hearing

Application 19.17 by the Town of Newtown, for a Text Amendment to the Newtown Zoning Regulations, 6.04.400(d), to update the regulation to be consistent with other zoning regulations including the Sandy Hook Design District, as detailed on a document submitted to the Land Use Agency dated 7/24/19.

Mr. Mitchell explained that this application is an attempt to correct an oversight from a previous set of amendments regarding the space limitation on residential dwellings over commercial buildings. The proper wording was originally included for Hawleyville Design District permitted uses, but not for special exceptions. Mr. Swift asked if the current language was an oversight, and if so, where did it come from. Mr. Mitchell replied that in June of 2017, Section 6.04.300(i) had changed its wording to limit gross floor area to 50%, and tonight's application was seeking to implement similar wording for 6.04.400(d).

Mr. Swift thought special exceptions were more restrictive, so he didn't understand why it should have the same wording as the permitted use. Mr. Mitchell explained that the permitted use was for *single buildings* whereas the special exception would be for *separate buildings*. The proposal is to limit the area of the residential dwellings in those multiple buildings for a special exception.

Mr. Rosen asked why the wording regarding the half-acre was being taken away. Mr. Mitchell replied that the half-acre wording came from other areas of the regulations in regards to sewer allocation. Mr. Toby reasoned that this regulation would therefore allow development at a higher density by doing away with the half-acre wording. If there were a density issue relative to sewer allocation, he wondered, would it be screened by the Health District. Mr. Mitchell replied that the Water and Sewer Authority would look into that. Mr. Toby was satisfied, as his concern was that some municipal body would regulate density in relation to sewer usage.

Mr. Swift asked if the multiple buildings in the special exception scenario would involve a building that was exclusively residential and another that was commercial, but Mr. Mitchell clarified that the special exception scenario would have commercial and residential uses in the same building. Mr. Swift asked if the current or proposed wording allows for residential dwellings on the bottom floor of a building. Mr. Mitchell said that it depends on the zone, independent of this regulation.

Mr. Meadows had some questions about the syntax of the proposed amendment, as it was not a complete sentence. The Commission determined that it was part of a list, and Mr. Meadows pointed out that a colon should replace the period at the end of the introductory phrase under the heading for 6.04.400.

Mr. Mitchell opened the floor for public comment.

Charles Zukowski of 4 Cornfield Ridge Road, Newtown, CT had a technical question that he thought may have been an oversight. The last part of the proposed text states “shall be a maximum of 1200 square feet,” but does not include the 800 square foot minimum that is mentioned elsewhere in the regulations, in the Sandy Hook section. He was wondering if there could be a legal issue with the lack of conformity between the two regulations. Mr. Mitchell pointed out that Hawleyville is a more commercially-g geared area than Sandy Hook and for that reason a minimum square footage may have been intentionally left out. Mr. Zukowski also stated that the notification to the public did not mention that it related to Hawleyville, and he felt that as a courtesy to the public the legal notice could have included more information about such a short text amendment. He also pointed out that the legal notice, which he saw in the folder at the Land Use Agency, was not in the Newtown Bee as it should have been. The clerk said she would contact her liaison at the Bee and look into this issue.

Due to the lack of proper notification, Mr. Mitchell moved to continue the public hearing to the next regular meeting of Thursday, September 5, 2019 at 7:30 p.m. in the Council Chambers of the Newtown Municipal Center. Mr. Swift seconded. All were in favor and the public hearing was continued to September 5, 2019.

Minutes

Mr. Swift made a motion to approve the minutes from July 18, 2019. Mr. Mitchell seconded. All members were in favor and the minutes from July 18, 2019 were approved.

Chairman’s Report

Mr. Mitchell reported that a public input meeting has been scheduled regarding the use of Fairfield Hills buildings as multifamily dwellings. He explained that after input meetings and other groups weighing in on it, the final step to (potentially) permitting multifamily housing on campus would be to amend the Zoning Regulations for the Fairfield Hills Adaptive Reuse Zone. Mr. Meadows asked if the upcoming meeting with the Board of Selectmen would give the specifics of what would be proposed, but Mr. Mitchell explained it would be more about gathering input. Mr. Mitchell still felt it was important that the Planning and Zoning Commission to attend, just in order to be informed. Ms. Manville wondered if there had been interest by developers to turn any buildings into multifamily housing. Mr. Mitchell thought there may have been occasional inquiries by developers of this nature.

Adjournment

Mr. Rosen made a motion to adjourn. Mr. Meadows seconded. All members were in favor and the meeting was adjourned at 8:03 p.m.

*Respectfully submitted,
Christine O’Neill, clerk*