

PLANNING & ZONING  
COMMISSION  
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TOWN HALL ANNEX  
238 Danbury Road  
Wilton, Connecticut 06897

## **WILTON PLANNING & ZONING COMMISSION MINUTES JUNE 9, 2014 REGULAR MEETING**

**PRESENT:** Chairman Christopher Hulse, Vice Chair Sally Poundstone, Secretary Doris Knapp, Commissioners Lori Bufano, Joe Fiteni, Marilyn Gould, Bas Nabulsi, Peter Shiue, and Franklin Wong

**ABSENT:**

**ALSO**

**PRESENT:** Robert Nerney, Town Planner; Daphne White, Assistant Town Planner; Lorraine Russo, Recording Secretary; members of the press; and interested residents.

### **PUBLIC HEARINGS**

- 1. SP#390, Rolling Hills Country Club, Inc., 333 Hurlbutt Street, To allow construction of paddle tennis courts and warming hut**

Mr. Hulse called the Public Hearing to order at 7:16 P.M., seated members Bufano, Fiteni, Gould, Hulse, Knapp, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. The hearing was opened at the previous meeting. Ms. Knapp referenced a letter from J. Casey Healy to Planning and Zoning Commission dated June 6, 2014 requesting a continuation of the public hearing until June 23, 2014.

There being no further comments from the Commission or the public, at approximately 7:17 P.M. the Public Hearing was continued until June 23, 2014.

**2. SDP, 44 Westport Road, LLC, 44 Westport Road, To allow construction of twenty (20) units pursuant to Section 8-30g of CT General Statutes**

Mr. Hulse called the Public Hearing to order at approximately 7:18 P.M., seated members Bufano, Fiteni, Gould, Hulse, Knapp, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal notice dated May 22, 2014.

Ms. Knapp also referenced the following documents into the record:

- a letter dated June 9, 2014 from J. Casey Healy to Planning and Zoning Commission addressing the Statutory guidelines for continuing hearings;
- a 7-page Planning and Zoning Staff Report, with attachments, dated June 5, 2014;
- a 2-page memorandum dated June 5, 2014 from Conservation Commission to Planning and Zoning Commission, with attachments;
- a letter dated June 9, 2014 from Judith V. & Philip N. Rodgers;
- an email sent June 9, 2014 from Sarah Galante to Robert Nerney;
- a letter dated June 9, 2014 from Pamela Hovland to Planning & Zoning Commission;
- a letter [undated] from Anne Deware to Planning and Zoning Commission;
- an email sent June 9, 2014 from Beverly and JB Brokaw to Bob Nerney;
- an email sent June 9, 2014 from Jennifer and Eric Connolly;
- a letter dated June 8, 2014 from Alice B. Woods to Planning and Zoning Commission;
- an email sent June 9, 2014 from Jennifer Davatzes to Bob Nerney;
- a letter dated June 9, 2014 from Torie Clancy to Planning and Zoning Commission;
- an email sent June 9, 2014 from Henry & Carol Hill to Bob Nerney;
- a letter dated June 5, 2014 from Jennifer & Kenny Schiff to Planning & Zoning Commission;
- a letter dated June 2, 2014 from Garrett D. Nguyen and Lucia E. Vigna to Planning & Zoning Commission;
- a letter dated June 5, 2014 from Beverly B. and W. Gregory Rodiger to Planning and Zoning Commission;
- a letter dated June 6, 2014 from Heather and Victor Autore to Planning and Zoning Commission;
- a letter [undated] from Jeannie & Peter Rubsam to Planning & Zoning Commission;
- a letter dated June 9, 2014 from James and Cristine Edkins to Whom It May Concern;
- a letter dated June 8, 2014 from Laurie Eidt to Planning & Zoning Commission;

- an email sent June 6, 2014 from Rita Anspach to Bob Nerney;
- an email sent June 6, 2014 from Debra Singleton to Bob Nerney;
- an email sent June 7, 2014 from Cindy and Todd Watson to Bob Nerney;
- an email sent June 7, 2014 from Eric and Nancy Gany to Bob Nerney;
- an email sent June 7, 2014 from Mitchell Kornblit to Bob Nerney
- a letter dated June 6, 2014 from Paul and Claire Hinck to Planning and Zoning Commission;
- a letter dated June 4, 2014 from Douglas Krupa to Planning & Zoning Commission;
- a letter dated June 6, 2014 from Carol and Gary Schuler to Planning and Zoning Commission;
- a 7-page memorandum hand-delivered June 6, 2014 from John Pellegrino and Karlene Lukovitz Pellegrino
- a letter dated June 5, 2014 from Mr. and Mrs. R. Coleman to Planning and Zoning Commission;
- a letter dated June 5, 2014 from Daniel Mack and Sarah Rhee to Planning and Zoning Commission;
- an email sent June 6, 2014 from Jeffy Emerson to Bob Nerney;
- an email sent June 6, 2014 from Michael House to Bob Nerney;
- an email sent June 6, 2014 from Lisa Bogan to Bob Nerney;
- a memorandum [undated] from Steve and Sandra Pezzullo to Planning and Zoning Commission;
- a letter dated June 4, 2014 from Norma Walsh to Lorraine Russo;
- a letter dated June 5, 2014 from Jennifer & Brian Angerame to Whom It May Concern;
- a letter dated June 6, 2014 from Leonard Feuer to Planning & Zoning Commission;
- a memorandum [undated] from Ray Floyd to Planning and Zoning Commission;
- an email sent June 5, 2014 from E.W. Mason to Bob Nerney;
- an email sent June 5, 2014 from Robert DeSantis to Bob Nerney;
- a letter dated June 5, 2014 from Walter and Susan Maccio to Planning and Zoning Commission;
- a letter dated May 30, 2014 from Jonathan T. Woods to Planning & Zoning Commission;
- an email sent June 5, 2014 from Kim Mellin to Bob Nerney;
- an email sent June 5, 2014 from Judy and Rich Schaefer to Bob Nerney;
- an email sent June 5, 2014 from Marie DeSantis to Bob Nerney;
- a letter dated June 5, 2014 from Rita H. Hansdorf to Planning & Zoning Commission;
- a letter dated June 5, 2014 from Ellen Davis to Planning & Zoning Commission;
- a memorandum [undated] from Frank Oliveri to Planning and Zoning

Board Members;

- a letter from Ms. Margaret A. Kern;
- an email sent June 5, 2014 from Lara Paschalidis to Bob Nerney;
- a memorandum dated June 3, 2014 from Barbara Dubiel to Mr. Nerney, with photo attachments;
- an email sent June 5, 2014 from Laura & Desmond Hussey to Bob Nerney;
- an email sent June 5, 2014 from Claudia Nachemson to Bob Nerney;
- an email sent June 5, 2014 from Susie Bedsow Horgan to Bob Nerney;
- an email sent June 5, 2014 from Carey Field to Bob Nerney;
- a letter [undated] from Shelley Shapiro to Wilton Planning 7 Zoning;
- a letter dated June 2, 2014 from Meveral Rickert to Planning and Zoning Commission;
- a letter dated June 2, 2014 from Andrew and Giovanna Fox to Planning and Zoning Commission;
- a memorandum dated June 1, 2014 from Kim and Matt Hall to Planning and Zoning Commission;
- a letter dated June 2, 2014 from Bob and Gail Smith to Planning & Zoning Commission;
- a letter dated June 2, 2014 from Jason Coviello and Paula Smith to Planning & Zoning Commission;
- an email sent June 5, 2014 from Marie DeSantis to Bob Nerney;
- a 6-page letter dated June 3, 2014 from Katherine Zalantis and Joshua Kammerman to Planning & Zoning Commission;
- a letter dated June 4, 2014 from John Horan to Planning and Zoning Board Members, with attachments;
- a letter dated June 1, 2014 from Honmartin Au-Yeung and Ewa Gromek to Planning and Zoning Commission;
- a memorandum dated June 1, 2014 from John and Pamela Clasby to Whom It May Concern;
- a letter dated May 31, 2014 from Robert Eason to Planning & Zoning Commission;
- a letter [undated] from Margaret Donahue to Planning and Zoning Commission;
- a letter dated June 3, 2014 from Christopher Keczkemethy to Planning & Zoning Commission;
- a letter [undated] received June 3, 2014 from Mike & Lisa Huff to Planning & Zoning Commission;
- a letter dated May 31, 2014 from Christopher & Maura Dyson to Planning & Zoning Commission;
- a letter dated June 3, 2014 from Bob Kettle to Planning & Zoning Commission;
- a letter dated June 2, 2014 from Kathryn and Anthony Gibson to Planning & Zoning Commission;

- a letter dated June 1, 2014 from Noel and Bruce Konrad to Planning & Zoning Commission;
- a letter dated June 2, 2014 from Deidre Tangorra to Planning & Zoning Commission;
- a letter dated June 1, 2014 from Chris Tangorra to Planning & Zoning Commission;
- an email sent June 2, 2014 from Bill Smith to Bob Nerney;
- a letter dated June 1, 2014 from Honmartin Au-Yeung and Ewa Gromek to Planning & Zoning Commission;
- a letter dated May 29, 2014 from Tiffany Mercer to Planning & Zoning Commission;
- a letter dated May 31, 2014 from Pamela Docters & Bert Schefers to Planning & Zoning Commission;
- a letter dated May 27, 2014 from John J. Kalamarides, Jr. to Christopher Hulse, Chairman;
- an email sent June 1, 2014 from Gilmore Bray to Bob Nerney;
- an email sent June 1, 2014 from Bob Sabo to Bob Nerney;
- a letter [undated] from Walt and Christine Winrow to Bob Nerney;
- an email sent June 1, 2014 from Carolyn Field to Bob Nerney;

The applicant, attorney and project professionals were not present and requested in writing that the hearing be continued to June 23, 2014. Mr. Nerney and Mr. Hulse explained to the audience about the continuance requested by the applicant and the statutory requirements which govern an application.

Mr. Nabulsi arrived at approximately 7:25 P.M.

Mr. Hulse asked if anyone in the audience wished to speak about the application.

Toni Boucher, 5 Wicks End Lane, spoke as a resident and as a State senator. She spoke about the nature of the State affordable housing law, 8-30g and stated she had fought for changes to the law. She stated concerns about traffic problems in this area due to the widening of Route 7 as well as increased traffic from Routes 53 and 33 that would be exacerbated as a result of the application. Sen. Boucher opined that children living in the development would be at risk of serious accidents due to the development's proximity to Westport Road and Dudley Road.

Gail Lavielle, 109 Hickory Hill, spoke as a resident and a State representative. She spoke about the traffic and pedestrian safety concerns related to the application as proposed. She also stated that attempts to modify 8-30g have been made over the years so as to allow towns the ability to choose appropriate locations for affordable housing.

Mike Huff, 17 Dudley Road, stated that he has serious concerns about traffic and personal

safety. Mr. Huff spoke of his two young children who play in their driveway which is adjacent to one of the proposed driveways onto the applicant's property.

Gail Cioffi, spoke as director of the Lambert Common Association on Westport Road and on behalf of several Lambert Common residents. She spoke of problems with emergency and fire department vehicles maneuvering in this area and difficulties with vehicles exiting eastbound onto Westport Road from Dudley Road. She inquired about snow storage and suitable areas for school bus pick-ups and drop-offs.

Marlene Byington, 25 Ridge Lane, stated that the Town objected to Avalon for 9 years before eventually losing in court. She also noted that exiting onto Westport Road is difficult and dangerous when going in any direction from Ridge Lane.

Eugene (Doug) Jones, 146 Westport Road, said that in the 1970's he participated in a presentation, as a traffic engineer, before P&Z on behalf of Richardson & Merrill. He said they presented to the P&Z Commission and the then-planned development at 10 Westport Road would not be visible from Dudley Road. He mentioned that the existing traffic backs up at rush hour and Dudley Road serves as a short-cut for drivers to get to the Merritt Parkway. He also noted that any P&Z approval would lead to further similar developments throughout Town.

Carrie Field, 34 Topfield Road, spoke of traffic concerns relating to volume and speed along Dudley Road and having been passed on Dudley Road while driving 35 mph. She also expressed concerns regarding flooding and spoke of historic flooding problems in the area. Ms. Field expressed concern over the lack of snow storage areas and parking spaces. She also spoke about the loss of open spaces within Town and expressed concern that other properties within Town with public water and sewer could be developed in a similar way.

Barbara Quincy, a long time resident, talked about the Staff Report and about the 51 concerns raised in the staff report. She spoke of the affordable housing statute and noted some of its accomplishments. She also mentioned that Wilton is not close to meeting the 10% minimum threshold for affordable housing.

Kathy Zalantis, 31 Ridge Lane, requested the developer's attorney submit plans electronically. She mentioned that the Commission should deny the application based on health and safety reasons. She stated that there would be increased runoff based on site coverage close to 60%, specifically 59.2%, which is just outside of the FEMA flood A zone. She said that the State DEEP website does not recommend porous pavement due to the high potential for clogging and a high failure rate in cold climates. She also mentioned that the site is over an aquifer which would be subject to contamination by salts used during the winter season. She also mentioned the lack of open space and recreation areas that could put children at a safety risk due to close proximity to busy

roadways. Ms. Zalantis spoke of one planned driveway exiting onto Dudley Road and questioned the wisdom of such plan. Ms. Zalantis noted the planned driveway width of 22 feet and felt such width was inadequate based on her experiences on Ridge Lane which would likely accommodate less traffic. She said that the applicant's plan does not propose enough parking spaces and that the parking areas are too close to the driveway entrances.

Bob Kettle, 25 Dudley Road, asked that the applicant submit plans and reports electronically. He mentioned that the proposed development contradicts and undermines the Town's Plan of Conservation and Development in many ways, referencing in particular areas reserved within the Town for such high density housing. He also noted that the traffic is treacherous, and that there have been increased traffic accidents based on accident reports found in the police department which have doubled since 2012. He also expressed concern regarding the lack of visitor parking and that approval would encourage similar development along Westport Road.

Elise Dickenson, 43 Topfield Road, said that she grew up in Wilton and that many people already speed on Westport and Dudley Roads. She said that Dudley Road used to be called "Deadly Road" before it was widened. She mentioned that it is very difficult to turn from Dudley Road onto Westport Road and that when an opening occurs people are generally required to speed through the intersection due to the lack of gap time. She noted that people will use the parking lot as a cut-through from Westport Road when heading north onto Dudley Road. Ms. Dickenson reported being in an accident at the intersection of Westport Road and Dudley Road while waiting for an opening to turn on to Dudley Road.

Margaret Donahue, 99 Westport Road, stated that she is a recent resident on Westport Road, noting that the area is a neighborhood even though it is not a cul-de-sac. Ms. Donahue opined that the applicant was abusing the affordable housing laws given traffic safety conditions and the loss of trees on the property. Ms. Donahue stated that she is especially concerned about the safety of her children.

Ellen Davis, 28 Clover Drive, stated that she has lived in Wilton for 35 years and spoke of families who lived along Westport Road; choosing to sell their homes at reasonable prices; thus preserving the affordability of the neighborhood.

There being no further comments from the Commission or the public, at 8:45 P.M. the Public Hearing was continued to June 23, 2014.

## **REGULAR MEETING**

- A.** Mr. Hulse called the Regular Meeting to order at 8:47 P.M., seated members Bufano, Fiteni, Gould, Hulse, Knapp, Nabulsi, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Mr. Hulse seated Mr. Nabulsi, noting that he had arrived about 10 minutes after the hearing had begun.

## **B. APPROVAL OF MINUTES**

- 1.** May 27, 2014 – Regular Meeting

**MOTION** was made by Ms. Knapp, seconded by Ms. Bufano, and carried (8-0-1) to approve the minutes of May 27, 2014 as drafted. Ms. Gould abstained.

## **C. SITE DEVELOPMENT PLAN REVIEW**

## **D. ACCEPTANCE OF NEW APPLICATIONS**

- 1. SP#391, Fairfield County Bank, 190 Old Ridgefield Road, To allow a second drive-in facility/ATM**

**MOTION** It was the consensus of the Commission to accept the application and set a public hearing date for July 28, 2014.

## **E. PENDING APPLICATIONS**

- 1.** SP#390, Rolling Hills Country Club, Inc., 333 Hurlbutt Street, To allow construction of paddle tennis courts and a warming hut.

Tabled until June 23, 2014.

- 2.** SDP, 44 Westport Road, LLC, 44 Westport Road, To allow construction of twenty (20) units pursuant to Section 8-30g of CT General Statutes.

Tabled until June 23, 2014.



**F. COMMUNICATIONS**

**G. REPORT FROM CHAIRMAN**

**1. Reports from Committee Chairmen**

**H. REPORT FROM PLANNER**

**I. FUTURE AGENDA ITEMS**

**J. ADJOURNMENT**

MOTION was made by Ms. Knapp, seconded by Ms. Gould and carried unanimously (9-0) to adjourn at approximately 8:50 P.M.

Respectfully submitted,

Daphne White, Assistant Town Planner and  
Lorraine Russo, Recording Secretary