

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

WILTON PLANNING & ZONING COMMISSION MINUTES JANUARY 11, 2016 REGULAR MEETING

PRESENT: Chairwoman Sally Poundstone, Vice Chair Lori Bufano, Secretary Doris Knapp, Commissioners Joe Fiteni, Scott Lawrence, Keith Rodgerson, Peter Shiue, Rick Tomasetti, and Franklin Wong (7:17 p.m.)

ABSENT: None.

ALSO

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

PUBLIC HEARINGS

1. **SUB#915, 183 Ridgefield Road, LLC, 183 Ridgefield Road, 4-lot subdivision.**

Ms. Poundstone called the Public Hearing to order at 7:16 P.M., seated members Bufano, Fiteni, Knapp, Lawrence, Poundstone, Rodgerson, Shiue, Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

Present were Commissioners Bufano, Fiteni, Knapp, Lawrence, Poundstone, Rodgerson, Shiue, and Tomasetti.

Ms. Knapp said that a letter dated January 7, 2016 from Atty. J. Casey Healy requesting the hearing be continued to January 25th had been received. She also stated that there was a memorandum from the Conservation Commission with an attachment and a memorandum dated January 8, 2016 from Ms. Jennifer M. Zbell, the Assistant Town Sanitarian, along with copies of the legal notice that was published on December 3, 2015 and December 10, 2015 attached to the documentation.

Mr. Wong joined the meeting at 7:17 p.m.

Ms. Poundstone stated that the application would not be heard at this meeting. Mr. Nerney noted that in the past, the Commission has taken comments if someone from the public was not able to be present at the January 25th meeting.

No one came forward.

There being no further comments from the Commission or the public, at 7:18 P.M. the Public Hearing was continued to January 25, 2016.

2. REG#15351, J. Casey Healy, To Amend Section 29-8.B.5.b(9) of Zoning Regulations to modify parking requirements for commercial kennels.

Ms. Poundstone called the Public Hearing to order at 7:18 P.M., seated members Bufano, Fiteni, Knapp, Lawrence, Poundstone, Rodgerson, Shiue, Tomasetti, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

Ms. Knapp read the legal notice dated December 31, 2015 and January 7, 2016. She stated that there was a letter dated January 4, 2016 from Mr. Jonathan Chew, the Senior Project Manager at Western Connecticut Council of Governments regarding the parking requirements; a Planning and Zoning staff report dated January 5, 2016 and a letter dated January 5, 2016 from Atty. J. Casey Healy of Gregory and Adams, P.C. regarding the requested amendment to the Zoning Regulations.

Atty. Healy came forward and greeted the Commission. He said that he was present to request a modification for the parking requirement for commercial kennels and veterinary hospitals. The project involves plans to renovate and expand an existing kennel that will be operated by Best Friends Total Pet Care. It is the opinion of the project professionals that the existing parking requirements overpark the kennel space. The request is to reduce the parking requirement to 1 space for 1,000 sq. ft. of gross floor area of commercial kennels. The one space per employee and the one space per 400 sq. ft. of gross floor area of veterinary hospital would remain the same. He explained that a kennel is in effect a warehouse for dogs. It is the opinion of Best Friends that the existing parking is sufficient. Best Friends operates a facility at 520 Main Avenue in Norwalk.

Mr. Craig Yannes of Tighe and Bond came forward to speak about the parking demands for the veterinary practices and kennels. He stated that parking and traffic studies had been done at both the Best Friends Norwalk facility and at the South Wilton Veterinary Group facility at 51 Danbury Road in Wilton. Mr. Yannes then reviewed with the Commissioners the square footage of the two other facilities, the number of employees and the traffic counts taken every half hour for the maximum number of vehicles on site

P&Z Minutes – 01/11/16 – Page 3

from 7:00 A.M. and 8:00 P.M.

Mr. Nerney asked about the peak demand for the existing Best Friends being at 1 and 2 P.M. He said that this seems odd.

Ms. Knapp asked if there was a veterinary hospital at the Norwalk facility. Mr. Yannes said that the facility was just a commercial kennel and did not offer veterinary services, but there were training classes going on. Mr. Yannes explained that the mid-day peak could be explained by the fact the facility does offer training classes and grooming. He added that there the numbers remained fairly constant during the day.

Mr. Shiue asked if the employees were included. Mr. Yannes said that those vehicles had not been included when calculating the parking demand rate for the Norwalk facility. If they had, the figures would be even more conservative. Discussion followed.

A question was asked about whether the Norwalk facility provided veterinary surgery services. Mr. Yannes said that the Norwalk facility did not offer veterinary services. The services that will be offered at the new Wilton facility will be discussed when the application is presented at the site plan application. This request is just looking to change the parking regulations. Discussion followed.

Mr. Fiteni said that the language that was on the application was unclear regarding the number of employees and should be changed. It should be one per employee and one per thousand rather than what is stated on the application, which could easily be misread.

Ms. Knapp asked if the regulation would have an adverse effect on any other veterinary clinics in town if it was changed. Mr. Healy said that there were five veterinary practices in town that board animals. He listed them and said that he believed that there was also one more straight kennel.

Ms. Poundstone asked for additional information on the existing six kennel facilities. Mr. Healy noted this down and said that he would also change the language as Mr. Fiteni requested.

Mr. Wong asked for clarification on the square footage in the proposed facility and the area of the Norwalk facility, which Mr. Yannes reviewed with the Commissioners. Mr. Wong then asked if the Commission would have the ability to provide a waiver in this case. Mr. Nerney said that there was also an option that the Commission could indicate that it would be up to the Commission's discretion.

Mr. Wong expressed concern about making a zoning change that might create a negative impact later. A discussion followed.

P&Z Minutes – 01/11/16 – Page 4

Mr. Rodgerson said that Wilton appears to have a large number of parking lots. He said that this might constrain the businesses in terms of taxable property. He pointed out that the business was stating that they did not need this amount of parking. As the Commission makes these laws less restrictive, it is important to be sure that they don't pave over areas that help the wetlands or green spaces in an attempt to maximize taxable space.

Mr. Tomasetti said that in his experience in Darien, the Commission looks to the commercial applicants' parking study. The Darien Commission looks at this carefully so that they don't overpark and has what is more appropriate to their operation.

Mr. Tomasetti also pointed out that looking at the one parking space per employee seemed difficult since the Commission could not really control the number of employees.

Mr. Rodgerson asked for clarification on the adjoining parking lot on the aerial view. Mr. Nerney indicated where the various neighboring businesses were located on the photograph.

Mr. Nerney said that he thought that Mr. Rodgerson had a point about over-parking.

Atty. Healy then distributed copies of a letter dated January 11, 2016 which was a response to the Planning and Zoning concerns.

The discussion moved to whether or not there would be retail activity on the site. Mr. Nerney said that he had not been in the Norwalk facility but believed that type of retail being referred to would apply to something like PetSmart rather than a kennel. Mr. Nerney said that when there is a change of use, the Health Department, the Planning Department and various other departments review the application and ask many questions as they apply to the individual applications.

Mr. Wong asked about the counts and whether the new facility would be adequate. Atty. Healy pointed out that when the application was submitted for the site plan, the details of the building would be presented to the Commission.

Ms. Poundstone asked if anyone in the audience wished to speak for or against the application.

There being no further comments from the Commission or the public, at 7:50 P.M. the Public Hearing was continued until January 25, 2016 in order to allow the applicant to gather more information for the Commission.

REGULAR MEETING

- A.** Ms. Poundstone called the Regular Meeting to order at 7:51 P.M., seated members Bufano, Fiteni, Knapp, Lawrence, Poundstone, Rodgerson, Shiue, Tomasetti, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

B. APPROVAL OF MINUTES

1. December 14, 2015 – Regular Meeting.

MOTION was made by Mr. Wong, seconded by Ms. Bufano and carried with seven (7) in favor (Poundstone, Bufano, Fiteni, Knapp, Rodgerson, Lawrence and Shiue) and two (2) abstentions (Wong, Tomasetti) to approve the minutes of December 14, 2015, as drafted.

2. December 17, 2015 – Special Meeting

MOTION was made by Mr. Fiteni, seconded by Mr. Lawrence and carried with four (4) in favor (Poundstone, Bufano, Fiteni, and Shiue) and five (5) abstentions (Wong, Knapp, Rodgerson, Lawrence, and Tomasetti) to approve the minutes of December 17, 2015, as drafted.

C. SITE DEVELOPMENT PLAN REVIEW

There were no site development plans to review at this time.

D. ACCEPTANCE OF NEW APPLICATIONS

There were no new applications to review at this time.

E. PENDING APPLICATIONS

1. SUB#915, 183 Ridgefield Road, LLC, 183 Ridgefield Road, 4-lot subdivision.

This item was continued to January 25, 2016 as request by the applicant.

2. REG#15351, J. Casey Healy, To Amend Section 29-8.B.5.b(9) of Zoning Regulations to modify parking requirements for commercial kennels.

This item was continued to January 25, 2016 as request by the applicant.

F. COMMUNICATIONS

There were no communications to consider at this time.

G. REPORT FROM CHAIRMAN

1. Reports from Committee Chairmen

H. REPORT FROM PLANNER

Mr. Nerney stated he had no additional information for the Commission.

I. FUTURE AGENDA ITEMS

1. Mr. Wong said that he had been asked a number of times why the meetings were not recorded and broadcasted. Ms. Poundstone said that this had been discussed by earlier Commissions, but most of the Commissioners had not been on the Board then. Mr. Nerney said that he would contact at the Board of Selectmen to see what kind of equipment and the costs involved.

J. ADJOURNMENT

MOTION was made by Ms. Knapp, seconded by Mr. Lawrence and carried unanimously (9-0) to adjourn at 8:00 P.M.

Respectfully submitted,

Sharon L. Soltes
Recording Secretary