

PLANNING & ZONING  
COMMISSION

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TOWN HALL ANNEX  
238 Danbury Road  
Wilton, Connecticut 06897

**WILTON PLANNING & ZONING COMMISSION MINUTES  
JANUARY 25, 2016 REGULAR MEETING**

**PRESENT:** Chairwoman Sally Poundstone, Secretary Doris Knapp, Commissioners Joe Fiteni, Scott Lawrence, Keith Rodgerson, Peter Shiue (7:16 p.m.), Rick Tomasetti, and Franklin Wong

**ABSENT:** None.

**ALSO PRESENT:**

Robert Nerney, Town Planner; Daphne White, Assistant Town Planner; 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 7:15 p.m., seated members Knapp, Fiteni, Lawrence, Poundstone, Rodgerson, Tomasetti and Wong and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

*Mr. Shiue entered the meeting at 7:16 pm.*

Ms. Poundstone then read portions of a letter from Vice Chair Ms. Lori Bufano who stated she was resigning from the Commission. Ms. Poundstone said she will be missed.

Mr. J. Casey Healy, an attorney, spoke on behalf of the applicant. He said the house that sits on the 2.0 acre plot is not part of the plan and no wetlands permits will be required.

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Mr. Healy confirmed that fire cistern agreements will be maintained by all four lot owners. The planned common driveway that will serve lots 1-3 has been approved by the State while Lot 4 will be served by an existing northern driveway. Trees to be saved are shown on the map. Tree protection measures have been depicted and all of the stone walls will be retained with the exception of the stone wall that will be removed to maintain the common driveway.

Mr. Steve McAllister, of McChord Engineering and representing the applicant, said the property, 10.8 acres is mostly field and meadow. It will be divided into 4 residential lots. A shared driveway will serve 3 lots with a future connection to the adjoining lot that is not subject of the application. Mr. McAllister said DOT advised them to include two catch basins at the Ridgefield Road intersection. Each home will be served by a private septic system and well. Runoff from Lots 1 through 3 will flow easterly and will be captured by the proposed storm water drains. Runoff from lot 4 will continue to flow northerly, but away from Ridgefield Road right-of-way. He added there will be no diversion of water from one area to another. It has been approved by CTDOT and has received preliminary approval from the Wilton Health Department and Wilton Inland Wetlands.

Mr. Fiteni asked a question about drainage. He said the driveway is steep and is not crowned enough and said water heading down will not make it to the intermediate catch basins. He added the ratio of the crown to the steepness is not sufficient.

Mr. McAllister said it could possibly be double-graded.

Mr. Nerney asked if there would be any daylight overflow from the gullies. Mr. McAllister said any overflow would be piped directly into state drainage.

Mr. Wong said his concern is parents' dropping their kids off for the school bus at the bottom of the driveway and then making u-turns on Route 33. He asked if it is possible to have a turnaround area or widen the driveway to discourage this problem.

Ms. Poundstone called for public comments.

Ms. Vicky Mavis of 208 Ridgefield Road asked about the existing house and Ms. Poundstone said the house is not part of the application. She said there will be other forums for such questions.

Ms. Mavis, who is located two houses north of the property and across the street, said she is concerned about additional traffic and the possibility of additional turnarounds in her driveway. She said she has a neighbor who has work going on that blocks sight lines and she said complaints have been registered with Wilton Police.

The next resident to speak was Pamela Brown of 544 Nod Hill Road. Ms. Brown was concerned with the tree and natural barriers along Hillside Cemetery. She would like the Cemetery be kept a peaceful place.

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Mr. Wong inquired about the application as a whole.

Mr. Nerney said you can perform an initial division of your property subsequent to the adoption of subdivision regulations without it rising to the level of a subdivision. When a subdivision occurs, town regulations require that 12% of the land be designated as open space, unless otherwise waived by the Commission. It can be deeded to the town, deeded to a Land Trust or deeded to entities within the subdivision.

Mr. McAllister said in this instance it will be designated as private open space.

Mr. Nerney said in a 2 acre zone, 80 percent of the required lot area cannot be wetlands. It was determined for this application that the threshold was met.

Ms. Poundstone said it is a good thing that open space is being gained.

Mr. Rodgeron asked if the proposal comports with stated goals of the Plan of Conservation and Development given the desire to preserve historic resources.

Mr. Nerney said POCD is a guide and not regulatory. He said the property is zoned for 2 acre residential development and has a host of requirements that must be met.

Mr. Tomasetti said he did not believe the Commission had much jurisdiction in applying the POCD recommendations, but suggested the matter be reviewed in the future.

There were no further public comments and the hearing was closed at 8:00 p.m.

## **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 8:01 p.m., seated members Knapp, Fiteni, Lawrence, Poundstone, Rodgeron, Shiue, Tomasetti and Wong and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

Ms. Knapp stated that the application was a continuation of the hearing that began on January 11, 2016. Mr. Healy stated that he was seeking to change the parking requirement for commercial kennels from 1 space per 400 square feet of gross floor area to 1 space for 1,000 sq. ft. of area plus one space per employee.

Mr. Healy referred to a revised change of text made to the application for purposes achieving clarity. This was done to address Mr. Fiteni's concern that the original text amendment could be misconstrued as requiring only 1 parking space per 1,000 square of floor area for commercial kennels.

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The application submittal, at the request of Ms. Poundstone, also included the name, location, gross floor area and number of parking spaces of six other veterinary hospitals and/or commercial kennels located in the Town of Wilton.

Mr. Fiteni, said in terms of veterinary hospital parking regulations listed in the table, Wilton would be fairly similar to Norwalk and would require fewer spaces than any other of the towns on the table. Mr. Nerney pointed out many towns do not have regulations for veterinary hospitals but default to other similar use categories, such as medical offices.

Mr. Healy said Norwalk does not define a veterinary or animal hospital nor a kennel. Norwalk allows for 1 parking space per 10 animal suites and 1 parking space per 200 sq. ft. of active floor area for pet retail and grooming facilities. The 200 ft. excludes areas of equipment, housing of automated equipment, service equipment, inventory storage space, space devoted to maintaining the building and employee areas etc.

Mr. Healy said Norwalk breaks it down into active and inactive areas, while Wilton has never distinguished between active or inactive areas.

Mr. Healy said Westport had no specific regulations. If parking regulations fail to specify a requirement, it is then up to the Commission to decide the parking requirement. He added Ridgefield, New Canaan and Darien are determined on a case-by-case basis.

Ms. Poundstone asked if these facilities included Crematoriums. Mr. Healy was not sure about that.

Ms. White said the data from Westport was received from the Town Planner's Office. She said there was a bit of grey area.

Mr. Wong said the question is whether or not there is adequate parking. Mr. Wong said the only study involved Best Friends. Mr. Healy said it was a study related to Best Friends which operates 100% as a kennel and South Wilton Veterinary Hospital. Mr. Wong said they were looking at spaces and not the area of the facility. Mr. Healy added that of the 28 available spaces in South Wilton, never more than 18 spaces were occupied.

Mr. Craig Yannes, of Tighe and Bond, said we looked at it as a veterinary facility requiring one space per employee plus 1 space per 400 sq. ft.

Mr. Tomasetti said he was torn by if we want the regulations to be at the discretion of the Commission. He asked is there is an industry formula to guide property owners. He said it is probably a good idea that the regulation is being split out.

Ms. Poundstone said parking is critical to a consumer and to any institution that wants to thrive. She said you do not want people to drive to another establishment because of a lack of parking. She concluded adequate and safe parking is needed on such very busy roads.

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Mr. Wong said we are trying to accommodate a special user, but may be failing to provide clarity to the issue. Mr. Healy referred to the most recent applicant, South Wilton Veterinary Group.

Mr. Lawrence asked about feedback from other area operators. Mr. Healy said the only feedback was from 215 Danbury Road. He said a parking count was not done, but the maximum number of spaces at any one time was 7 out of 18-20. Mr. Healy said parking has not been an issue when he goes to Dr. Kevin J. Crow. He said there are only 5-6 spots for patrons, and employees park in the back.

Mr. Tomasetti pointed out when there is ambiguity he tends to trust the experts.

Mr. Healy said the most recent applicant South Wilton has never parked more than 64 percent. He said they were 26 over-parked at max.

Ms. Poundstone asked for Public Comment. There was no public comment. The hearing was closed at 8:28 p.m.

### **REGULAR MEETING**

A. Ms. Poundstone called the Regular Meeting to order at 8:28 p.m., seated members Knapp, Fiteni, Lawrence, Poundstone, Rodgerson, Shiue, Tomasetti and Wong and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

### **B. APPROVAL OF MINUTES**

#### **1. January 11, 2016 — Regular Meeting**

On page 5, Mr. Tomasetti noted a correction. He pointed out he abstained from voting on the approval of the minutes of both meetings.

MOTION was made by Ms. Knapp, seconded by Mr. Lawrence and carried unanimously to approve the minutes of January 11, 2016, as amended.

### **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**

Ms. Poundstone asked for any further comments. Mr. Fetimi said he is satisfied with the drainage plan. Mr. Fiteni said maybe some screening by the Cemetery is needed. He would like to see more of a crown or a double catch basin.

Mr. Wong stated his concern about traffic flowing down the driveway on to Route 33.

**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 said a resolution could be prepared for the next meeting on February 8.

**F. COMMUNICATIONS**

Ms. Poundstone referred to the resignation letter from Lori Bufano.

**G. REPORT FROM CHAIRMAN AND COMMISSION MEMBERS**

**1.** Ms. Poundstone nominated Mr. Joe Fiteni for Vice Chair. He was approved by the Commission unanimously.

**H. REPORT FROM PLANNER**

Mr. Nerney said he included a communication from The League of Women voters in the members' packets.

**I. FUTURE AGENDA ITEMS**

Mr. Wong asked about the videotaping of future meetings. Mr. Nerney said it is being looked into and will get back to him.

**J. ADJOURNMENT**

MOTION was made by Ms. Knapp, seconded by Mr. Lawrence and carried unanimously to adjourn at 8:44 p.m.

Respectfully submitted,  
G. Venuto  
Telesco Secretarial Services