

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

## WILTON PLANNING & ZONING COMMISSION MINUTES APRIL 25, 2016 REGULAR MEETING

**PRESENT:** Chairwoman Sally Poundstone, Vice Chairman Joe Fiteni, Secretary Doris Knapp, Commissioners Scott Lawrence, Andrea Preston, Peter Shiue, Rick Tomasetti, and Franklin Wong

**ABSENT:** Keith Rodgerson (notified intended absence)

### 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#410, O'Brien/Townsend-Adams Props, LLC, 23 Hubbard Road, To allow two dwelling units over office space, pursuant to Section 29-6.C.4.b of zoning regulations**

Ms. Poundstone called the Public Hearing to order at 7:15 P.M., seated members Fiteni, Knapp, Lawrence, Poundstone, Preston, Shiue, Tomasetti, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp referenced a letter dated April 25, 2016 from Kevin E. O'Brien to Planning and Zoning Commission requesting a continuance of the public hearing until May 9<sup>th</sup>, 2016.

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 7:16 P.M. the Public Hearing was continued until May 9, 2016.

**2. SP#412, Kevin O'Brien/Smith, 50 Grumman Ave, To allow a detached accessory dwelling unit**

Ms. Poundstone called the Public Hearing to order at 7:16 P.M., seated members Fiteni, Knapp, Lawrence, Poundstone, Preston, Shiue, Tomasetti, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp referenced a letter dated April 25, 2016 from Kevin E. O'Brien to Planning and Zoning Commission requesting a continuance of the public hearing until May 9<sup>th</sup>, 2016.

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 7:17 P.M. the Public Hearing was continued until May 9, 2016.

**3. REG#16352, Planning and Zoning Commission, To amend Section 29-11.A.12 pertaining to bond requirements, and Section 29-2 pertaining to definitions within the Zoning Regulations**

Ms. Poundstone called the Public Hearing to order at 7:17 P.M., seated members Fiteni, Knapp, Lawrence, Poundstone, Preston, Shiue, Tomasetti, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal notice dated April 12, 2016.

Mr. Nerney reviewed details of the application. Addressing the proposed bonding changes, he explained that there have been changes in the State Statutes that limit a Town's bonding authority to soil and erosion controls and to site improvements which are to be dedicated to, or fall under the control of, the Town. He cited examples such as a public drainage improvement or a new Town road developed in connection with a subdivision application. He explained that the Town is no longer authorized to bond for paving, landscaping, lighting, etc. in connection with private projects as it had been doing prior to the aforementioned Statute changes.

Addressing the proposed definitional change, Mr. Nerney explained that, currently, the Zoning Enforcement Officer (ZEO) position is not defined, noting that the intent of the subject application is to define the position and clarify that the duties of said position can be delegated to either the Town Planner or the Assistant Town Planner. He explained that if the ZEO is on vacation or not in the office for some reason, the department can't be allowed to shut down, noting that this will enable the department to operate more efficiently and continue to serve the community. He also noted that the proposed regulation changes have been reviewed/approved by Town Counsel.

After further discussion, it was determined that upon approval of the proposed amendment changes, a second resolution would be drafted that would memorialize the delegation of said zoning enforcement authority to the ZEO, the Town Planner and the Assistant Town Planner so that any of the three positions will have the authority of administering and enforcing the Zoning Regulations going forward.

Mr. Nerney noted that other communities seem to function similarly, i.e. tracking along the concept of delegation of said authority from the Planning and Zoning Commission.

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

Ms. Knapp referred for the record to a memorandum dated April 7, 2016 from Jonathan Chew, WestCog, to Robert Nerney, with two attachments from Robert Nerney; and a 2-page Planning and Zoning Staff Report dated April 14, 2016.

There being no further comments from the Commission or the public, at 7:40 P.M. the Public Hearing was closed.

**4. SP#413, Best Friends Total Pet Care, 213 Danbury Road, To allow a commercial kennel and veterinary hospital**

Ms. Poundstone called the Public Hearing to order at 7:40 P.M., seated members Fiteni, Knapp, Lawrence, Poundstone, Preston, Shiue, Tomasetti, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal notice dated April 12, 2016; and referenced a 2-page Planning and Zoning Staff Report dated April 21, 2016, and a letter dated April 25, 2016 from J. Casey Healy to Planning and Zoning Commission requesting a continuance of the hearing until May 9, 2016.

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 7:42 P.M. the Public Hearing was continued until May 9, 2016.

**REGULAR MEETING**

- A.** Ms. Poundstone called the Regular Meeting to order at 7:42 P.M., seated members Fiteni, Knapp, Lawrence, Poundstone, Preston, Shiue, Tomasetti, +and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

**B. APPROVAL OF MINUTES**

**1. April 11, 2016**

MOTION was made by Mr. Fiteni, seconded by Ms. Preston, and carried (8-0) to approve the minutes of April 11, 2016 as drafted.

**C. SITE DEVELOPMENT PLAN REVIEW**

**D. ACCEPTANCE OF NEW APPLICATIONS**

- 1. SDP, State of Connecticut Dept of Transportation, Owner; Friends of Norwalk River Valley Trail, applicant; Intersection of Sharp Hill Road and Autumn Ridge Road (property known as Assessor’s Map 44, Lot 38); Request to establish an 8-space gravel parking area in conjunction with the NRVV trail system.**

Discussion scheduled for May 9, 2016.

**E. PENDING APPLICATIONS**

- 1. SP#410, O’Brien/Townsend-Adams Props, LLC, 23 Hubbard Road, To allow two dwelling units over office space, pursuant to Section 29-6.C.4.b of zoning regulations**

Tabled.

- 2. SP#412, Kevin O’Brien/Smith, 50 Grumman Ave, To allow a detached accessory dwelling unit**

Tabled.

- 3. REG#16352, Planning and Zoning Commission, To amend Section 29-11.A.12 pertaining to bond requirements, and Section 29-2 pertaining to definitions within the Zoning Regulations**

The Commission requested that staff prepare a resolution of approval for vote at the next meeting.

- 4. SP#413, Best Friends Total Pet Care, 213 Danbury Road, To allow a commercial kennel and veterinary hospital**

Tabled.

**F. COMMUNICATIONS**

**1. Discussion concerning age restricted housing development regulations**

Mr. Nerney referenced a letter dated April 21, 2016 from J. Casey Healy to Planning and Zoning Commission regarding the possibility of adopting age restricted housing regulations in Town. He explained that neighboring towns, including Ridgefield, New Canaan and Darien, have recognized that older segment of the population, which is looking for smaller homes, amenities (e.g. pools, social clubs) and uses more oriented towards seniors. Mr. Nerney noted that there seems to be a high demand for this type of housing, referencing in particular the River Ridge complex on River Road which, although not age-restricted, sold out almost immediately and is populated largely by empty-nesters. He noted further that the lack of such housing options, which tend to be revenue-positive, often leads to the older population relocating to other communities.

The Commission briefly discussed the matter and there was general consensus that such a need exists in Town. Ms. Poundstone requested that staff do some preliminary research on developing age restricted housing regulations, along with a proposed timetable for moving forward on the matter, and that staff report back briefly on this at the next meeting.

**G. REPORT FROM CHAIRMAN**

**1. Reports from Committee Chairmen**

**H. REPORT FROM PLANNER**

**I. FUTURE AGENDA ITEMS**

- 1. REG#16353, I Park Norwalk II, LLC, Amend Sections 29-2.B.149, 29-7.B.2, 29-7.C.2, 29-7.E.2, 29-7.E.3, 29-7.E.4 and 29-7.E.5 pertaining to DE-5 and DE-10 zones  
[Public Hearing May 23, 2016]**
- 2. SP#414, ASML US, INC., 77 Danbury Road, To allow an accessory parking garage  
[Public Hearing May 23, 2016]**
- 3. SP#415, Arthur, 39 Powder Horn Hill Road, To allow establishment of an accessory dwelling unit  
[Public Hearing June 13, 2016]**

**J. ADJOURNMENT**

MOTION was made by Ms. Knapp, seconded by Mr. Lawrence, and carried unanimously (8-0) to adjourn at 8:05 P.M.

Respectfully submitted,

Lorraine Russo  
Recording Secretary