

RECEIVED FOR RECORD
TOWN OF WILTON

2017 OCT 27 A 11: 23

BY: **UK**

PLANNING & ZONING
COMMISSION
Telephone (203) 563-0185
Fax (203) 563-0284



TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

**WILTON PLANNING & ZONING COMMISSION MINUTES *
OCTOBER 23, 2017 REGULAR MEETING**

PRESENT: Chairman Joe Fiteni, Vice Chairman Scott Lawrence, Secretary Doris Knapp, Commissioners Tierney O'Hearn, Sally Poundstone, Andrea Preston, Melissa Rotini, Peter Shiue, and Rick Tomasetti

ABSENT:

ALSO

PRESENT: Bob Nerney, Town Planner; Ira Bloom, Town Counsel; Daphne White, Assistant Town Planner; Lorraine Russo, Recording Secretary; members of the press; and interested residents.

PUBLIC HEARINGS

1. **REG# 17365**, 183 Ridgefield Road, LLC, For Age Restricted District (Overlay) ("AROD") regulations for property within a Residential "R-1A" or Residential "R-2A" district where property fronts on and provides vehicular access to either Danbury Road, Westport Road or Ridgefield Road from Danbury Road up to the intersection of Ridgefield Road with Drum Hill Road, or located no further than 750 feet from Danbury Road, provided the lot fronts on an arterial public road that directly connects to Danbury Road; and modifications to the Design Residence "DRD", Townhouse Residence "THRD" and Center Residence Apartment "CRA-10" multifamily housing districts to establish provisions for age-restricted housing.

Mr. Fiteni called the Public Hearing to order at approximately 7:20 P.M., seated members Fiteni, Knapp, Lawrence, O'Hearn, Poundstone, Preston, Rotini, Shiue, and Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. He noted that the hearing was continued at the request of the applicant. Ms. Knapp referenced into the record a letter dated October 16, 2017 from J. Casey Healy to Planning and Zoning Commission requesting that the public hearing be continued until November 13, 2017.

There being no further comments from the Commission or the public, at approximately 7:21 P.M. the Public Hearing was continued until November 13, 2017.

***MINUTES HAVE NOT BEEN REVIEWED BY THIS COMMISSION AND MAY BE SUBJECT TO
REVISION IN FUTURE MINUTES. FULL AUDIO RECORDING OF MEETING IS
AVAILABLE AT: www.wiltonct.org/tv/index.html**

2. **SP#434**, Millstone Property Holdings, LLC, 180 Millstone Road, To allow a riding stable as defined in Section 29-2.B.132 of Zoning Regulations, including barn and indoor riding ring

Mr. Fiteni called the Public Hearing to order at approximately 7:21 P.M., seated members Fiteni, Knapp, Lawrence, O'Hearn, Poundstone, Preston, Rotini, Shiue, and Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. He noted that the application was withdrawn at the request of the applicant. Ms. Knapp referenced into the record a letter dated October 19, 2017 from J. Casey to Planning and Zoning Commission requesting said withdrawal.

Application Withdrawn.

3. **SUB#918**, Millstone Property Holdings, LLC, 180 Millstone Road, for a 3-lot subdivision from 2 previously existing lots

Mr. Fiteni called the Public Hearing to order at approximately 7:23 P.M., seated members Fiteni, Knapp, Lawrence, O'Hearn, Poundstone, Preston, Rotini, Shiue, and Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. He noted that the public hearing was continued at the request of the applicant. Ms. Knapp referenced into the record a letter dated October 19, 2017 from J. Casey Healy to Planning and Zoning Commission requesting that the public hearing be continued until November 13, 2017; and an email from Rocco Grosso to Daphne White, sent October 11, 2017.

There being no further comments from the Commission or the public, at approximately 7:24 P.M. the Public Hearing was continued until November 13, 2017.

4. **REG#17366**, an application from Patricia Frisch to amend Sections 29-3.A and 29-5 of the Town of Wilton Zoning Regulations to impose a moratorium (a) on any pending or future application to amend such Regulations in any manner that may allow the rezoning, use or development of any lot located in a R-2A or R-1A Single Family Residence District where such property fronts on or provides vehicular access to Ridgefield Road for multiple single-family or multi-family homes, whether by creation or "restoration" of an age-restricted overlay district or any other district, or otherwise, and (b) on any pending or future application for a zone change or special permit that would allow multiple single-family or multi-family homes on any lot located in a R-2A or R-1A Single Family Residence District where such property fronts on or provides vehicular access to Ridgefield Road, until not less than thirty (30) days following the date on which a new Plan

of Conservation and Development (“POCD”) updating the 2010 POCD, including guidelines as to the desirability of any new zoning district or any such development on Ridgefield Road, is approved and formally adopted by the Planning & Zoning Commission.

Mr. Fiteni called the Public Hearing to order at approximately 7:25 P.M., seated members Fiteni, Knapp, Lawrence, O’Hearn, Poundstone, Preston, Rotini, Shiue, and Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal notice dated October 11, 2017 and referenced into the record a 2-page letter dated October 19, 2017 from James D’Alton Murphy to Mr. Joseph Fiteni/Planning and Zoning Commission; a 6-page letter dated October 19, 2017 from Leonard M. Braman to Wilton Planning and Zoning Commission, with attachment (Exhibit 1); and a 2-page memorandum dated October 18, 2017 from Robert Nerney to Planning and Zoning Commission.

Present was Patricia Frisch, 166 Ridgefield Road, applicant, representing herself.

Ms. Frisch reviewed her application for a moratorium, noting that the moratorium as proposed would not apply to anything brought in under current regulations; would be reasonable, i.e. would not interfere with anyone’s property rights; would be limited in time, i.e. only until the Planning and Zoning Commission (PZC) completes its review/update of the Plan of Conservation and Development (POCD); and would be limited in scope, i.e. only apply to applications seeking to change density of housing on Ridgefield Road.

Addressing the inherent tension between satisfying the current POCD’s acknowledgement of a need for diversity of housing, particularly for the elderly, while also maintaining the character and resources of the Town, she cited developers’ existing rights to build common interest communities with age restrictions built in that would be in full compliance with current zoning regulations.

She referenced Sections 8-2 and 8-3 of Connecticut Statutes, noting that said statutes do not allow fiscal zoning, i.e. consideration of economic impacts of potential developments on tax base/revenue, school enrollment, etc. By contrast, she referenced Section 8-23 of the Statutes which stipulates that the only way fiscal/economic considerations can be factored into zoning planning/decisions is by way of the POCD review/update process.

Ms. Frisch addressed issues raised in Robert Nerney’s October 18, 2017 memorandum to the PZC, noting that the proposed moratorium does not seek to stop age-restricted housing on Ridgefield Road or elsewhere, but rather seeks to temporarily suspend zoning amendments that would permit the development of multi-family or multiple single-family housing on Ridgefield Road. She felt the moratorium would be necessary no matter which way the pending AROD (Age-Restricted Overlay District) application is decided,

i.e. if denied, there could be countless other applications from the same applicant or others seeking similar amendments, resulting in endless confrontations going forward; and if granted, the applicant would still have to make applications to rezone its property and for special permits, both of which would be suspended during a moratorium.

Ms. Frisch addressed issues raised in James Murphy's letter of October 19, 2017, noting in particular that the underlying issue of allowing higher density housing on Ridgefield Road should be considered in depth as part of the new POCD process, as evidenced by the hundreds of letters/petitions submitted into the record by residents from all over the Town as well as from Town Commissions/Societies such as the Conservation Commission, Historical District Commission, Historical Society, etc; any new application pertaining to such development must be considered "de novo" (anew; without reference to any previous decision) per the recent court-stipulated agreement and the understanding that the 2016 AROD amendment was declared null and void; any references to the 2010 POCD as supporting age-restricted or any kind of higher density housing in low-density residential zones like Ridgefield Road is not accurate; and any reference to extensive studies, hearings, etc. in support of the 2016 AROD decision and the assertion that its rescission was strictly procedural, and not substantive, is also not correct, citing 2 hours 45 minutes of time spent discussing AROD during its initial adoption process, with the appropriateness of Ridgefield Road being mentioned only once in its initial introduction, as well as substantive due process rights which were not upheld.

Ms. Frisch next refuted all 5 arguments set forth in Leonard Braman's letter of October 23, 2017, noting in particular that the moratorium would not prohibit the Commission from establishing new zoning districts or modifying existing residential districts, but rather would temporarily stop applications to change zoning regulations on Ridgefield Road that would permit higher density development on that road; the moratorium would not be for an indeterminate length of time but rather would end when the new POCD is adopted; the PZC would be free to approve multi-family housing where already permitted or in newly designated zones appropriately located and approved by the Commission, but not along Ridgefield Road; and 183 Ridgefield Road continues to enjoy its right to build 5 units on each of its five 2-acre parcels, per its approved subdivision on the site.

Ms. Frisch entered into the record her written responses, including a letter dated October 23, 2017 from Patricia L. Frisch to Planning and Zoning Commission; a 2-page Response to Staff Report dated October 23, 2017; a 7-page Response to Gregory & Adam's Opposition Letter dated October 23, 2017; a 4-page Response to Wofsey Rosen Kveskin & Kurinansky [sic] Opposition Letter dated October 23, 2017; an Affidavit from Victoria Mavis dated October 23, 2017; and a 10-page Moratorium Presentation dated October 23, 2017.

In response to a comment from Mr. Bloom indicating that the proposed moratorium, if adopted, would not affect the existing AROD application which was filed by 183

Ridgefield Road, LLC prior to the filing of the moratorium application, Ms. Frisch quoted Connecticut case law, noting that as long as the moratorium states clearly that it applies to pending as well as new applications, it is enforceable.

Mr. Tomasetti noted for the record that he had listened to the entire audio of the last meeting.

Mr. Tomasetti questioned the singling out of Ridgefield Road only in the applicant's proposed moratorium.

Ms. Frisch stated that of the 3 roads originally considered (Danbury, Westport and Ridgefield Roads), it is only Ridgefield Road that is uniformly single-family, two-acre zoning, whereas both Danbury and Westport Roads already have some higher-density types of housing. She objected to the PZC's underlying assumption of suitability of Ridgefield Road for such housing, noting that a floating zone concept would give the PZC greater flexibility as to where to "land" such a higher-density zone; for example, on some locations along Westport Road where such housing would be more suitable than on other locations along Westport Road, whereas no location on Ridgefield Road would be suitable.

Mr. Bloom explained that a moratorium is a planning tool, used for a designated and short-term period of time. He referenced two Westport cases, including a 1984 moratorium on development along a certain corridor in Westport to allow for additional sewer studies, as well as a moratorium on medical marijuana facilities, which was for a 6-month period to give the Commission time to look into such regulations; both of which satisfied the short-term time limitation. He emphasized that most moratoria are at the development level not at the zoning regulation level, and they have end dates certain, which he noted the subject application does not.

Ms. Frisch noted for the record that while it does appear that most moratoria are at the development level, she has not found any case law indicating that a moratorium can't be at the zoning regulation level. She offered a modification to the text of the application as proposed if the PZC were to conclude that the proposed date of expiration is too ambiguous, noting that it could be revised to expire after 12 months so as to allow the POCD process to get well under way, at which point it could be continued or allowed to expire.

In response to Mr. Lawrence's concern that people might start looking to the moratorium process as a tool unto itself to stop enactment of certain regulations proactively as opposed to deciding each case on its own merits, Ms. Frisch felt that the current situation is very unique, particularly since the POCD process has already begun. She noted that the applicant is not asking for a moratorium in order to deny but rather to delay decisions.

Ms. Poundstone referenced text within the proposed amendment indicating that the

moratorium would remain in effect until “not less than thirty (30) days following the date on which a new POCD updating the 2010 POCD, *including guidelines as to the desirability of any new zoning district or any such development on Ridgefield Road*, is approved and formally adopted by the Planning and Zoning Commission”. She felt that the text in italics [italics added here] requires an action on the part of the PZC, i.e. to develop guidelines as indicated, which may or may not happen, and she questioned the appropriateness of such a requirement as well as its impact on defining an end date certain.

Mr. Bloom expressed some concerns with the wording of the moratorium as proposed, including its lack of a definite time period as well as Ms. Poundstone’s aforementioned concern about its requirement of guidelines prior to expiration. He felt that it is more effectively used as a planning tool at a later point in time, i.e. at the development level.

Mr. Fiteni asked if anyone wished to speak for or against the application.

Steven Wander, 136 Ridgefield Road, referenced Mr. Nerney’s comments at both the last PZC meeting and in his memo of September 20, 2017 which he felt recommended delaying a decision until adoption of the next POCD; with which he agreed. He advocated a floating versus overlay zone, and he felt that 183 Ridgefield Road is not a suitable location for AROD development.

Mr. Nerney clarified interpretation of his comments as cited by Mr. Wander, noting that he had attempted to lay out thoughts/different approaches via threshold questions. He noted that the floating zone would provide greater discretion to the PZC since the PZC holds greatest discretion when it acts in a legislative capacity via either a traditional or a floating zone construct.

Marci Sternheim, 390 Ridgefield Road, stated that she felt belittled, ridiculed, as well as offended, by what she perceived as an antagonistic view of the application and its supporters by the Commission. She objected to the earlier use of a medical marijuana moratorium example, which she felt was an attempt to present a disparaging bent to the concept of moratoria in general. She stated that the purpose of the proposed moratorium is to allow the PZC more time to do more thorough thinking and planning, as it should do, prior to adopting any AROD regulations on Ridgefield Road. She stated that the Commission should take more seriously what its duty is to this Town and show proper respect to its citizens and their viewpoints.

Mr. Fiteni stated that Commissioners take their jobs very seriously, devoting many hours of work and consideration into the applications and comments presented before this Commission. He stated that he was sorry if the previous resident felt offended, but he noted that he felt offended as well by the aforementioned accusations.

Mr. Lawrence apologized, noting that he had no intent to disparage the application or its supporters in any way. He noted that moratoria, historically, often have a somewhat negative association because they generally deal with negative externalities. He stated that the PZC was not minimizing the request at hand but rather it has to explore/probe all the potential side effects of any such proposal as indeed there were complaints that the Commission had not adequately examined such ramifications/unintended consequences during the initial application process.

Jeff Thompson, 226 Ridgefield Road, thanked the PZC, his fellow citizens, the applicant and the Town's attorney. He favored the idea of postponing a decision on any AROD regulations until adoption of the new POCD, noting that passage of the pending AROD regulation would make it more difficult for the PZC to deny development of a particular property if said property was located on any of the roadways predetermined to be qualifying for AROD development.

Robin Law, 215 Ridgefield Road, cited the many letters/petitions that have been submitted against AROD development on Ridgefield Road, referencing in particular the POCD's guidance that higher density development should occur where infrastructure exists and within a walkable environment, i.e. not along a roadway such as Ridgefield Road. She encouraged the passage of a moratorium at this time rather than legislation that would be permanent.

Alison Sanders, Chair, Historic District Commission, cited Benjamin Franklin's admonition that "haste makes waste". She stated that it makes sense to stop high density development along Ridgefield Road, which she referred to as a Town treasure, until there is a new POCD in place.

Matt Gabrielson, 52 Nod Hill Road, expressed strong support of the moratorium, noting that the Town needs to step back and take some time before enacting legislation that will be permanent.

Glenn Hemmerle, 25 Collinswood Road, expressed grave concerns with the way the moratorium is worded, noting that if no clear end date is stipulated for the moratorium the Town could be in trouble going forward.

Leonard Braman, Wofsey, Rosen, Kveskin, & Kuriansky, LLP, attorney representing 183 Ridgefield Road, LLC, reviewed his reasons for opposing the granting of the proposed moratorium, noting in particular that it would be illegal and unwise and would ultimately be struck down by a court; it would tie the Town's hands going forward; it is too sweeping in its breadth; moratoria are usually enacted in connection with development not for regulation amendments or zoning changes. He stated that the proposed moratorium fails all legal criteria and cannot be repealed and/or further amended, noting further that debate should go on and not be stifled by such an action.

Jim Murphy, Gregory and Adams, attorney representing 183 Ridgefield Road, LLC, reviewed his reasons for opposing the granting of the proposed moratorium. Comparing it to the 1984 Westport moratorium referenced earlier where Westport was overwhelmed with respect to sewer capacity in a particular area of the town, he noted that Wilton, conversely, is underwhelmed with respect to age-restricted housing. Referencing Section 8-3 of CT Statutes, he explained that the Town would have to justify its position if it now passes a moratorium after previously adopting AROD legislation that allowed such development on Ridgefield Road. He stated that the original AROD regulation was based on recommendations of the 2010 POCD and failed only due to a procedural mistake; thus the new AROD application is a de novo application procedurally only, not substantively. He felt that granting the moratorium, which would involve stating reasons as to why AROD is not right for the Ridgefield Road portion of Wilton, will ultimately tie the Commission's hands from a legislative capacity going forward.

David Anspach, 225 Ridgefield Road, stated that no time was spent on the rationale for including Ridgefield Road in the AROD legislation back in 2016. He felt that common sense should now prevail; noting that it is the entire Town's responsibility to adopt a new POCD and thus the Townspeople should speak and be heard as part of that upcoming process.

Sarah Curtis, 290 Cannon Road, spoke in strong support of the moratorium. She noted that many hundreds have spoken out against such development via letters/petitions and in person, with over 94 different roads in Wilton represented. She questioned whether the Commission is listening to residents and whether it is understanding.

Vicki Mavis, 208 Ridgefield Road, questioned whether the Commission is planning to redraft the pending AROD regulation given the existing ambiguity between floating/overlay zones. Mr. Fiteni stated that the Commission will be acting on the application as presented before it.

Patti Frisch proposed two changes to her application – one involving a typo which resulted in the incorrect insertion of the word "and" before the (a) portion of the moratorium; and a second modification which would insert an expiration date of September 30, 2018, unless extended or sooner terminated by amendment to the regulations. She submitted into the record her proposed changes to the text of the moratorium, dated October 23, 2017.

After a brief discussion as to whether the application should be closed this evening, it was the consensus of the Commission to leave the hearing open until the next meeting on November 13th, 2017.

There being no further comments from the Commission or the public, at approximately

10:04 P.M. the Public Hearing was continued until November 13, 2017.

5. SP#437, H.A.R.T.S. Inc., 196 Danbury Road, To establish package (liquor) store

Mr. Fiteni called the Public Hearing to order at approximately 10:05 P.M., seated members Fiteni, Knapp, Lawrence, O'Hearn, Poundstone, Preston, Rotini, Shiue, and Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal dated October 11, 2017 and referenced into the record a 3-page Planning and Zoning Staff Report dated October 18, 2017.

Present was Robert Hall, applicant.

Mr. Hall distributed a 13-page response package and an Exterior Access Plan A-1 dated October 23, 2017. He noted that there are no liquor stores on the northbound side of Route 7 for approximately 9 miles starting at Al's liquor store in Norwalk and there are approximately 33,000 cars that pass that way on a daily basis; thus his rationale for choosing the subject location.

Mr. Hall addressed on a point-by-point basis all 19 comments/questions raised in the Staff Report of October 18, 2017 (response package, including maps and a revised Form B entered into the record).

A question was raised regarding the management/policing of shopping carts so that they are not brought out onto the parking lot. Mr. Hall explained that carts will be for in-store use only and will be stored under the check-out counter; packages will be carried out to cars by store personnel whenever necessary.

A question was also raised as to whether there could be store access from the rear since most of the parking is located in the rear. Mr. Hall was of the opinion that front parking, and thus just the front entrance, would likely be sufficient given the different hours of operation between the package store and other on-site businesses. He expressed some security concerns as well with dual access into the store, but he stated that if a parking issue were to arise, he would discuss it further with the owner.

Mr. Fiteni asked if anyone wished to speak for or against the application.

There being no further comments from the Commission or the public, at approximately 10:35 P.M. the Public Hearing was closed.

The Commission took a short break and returned at approximately 10:41 P.M.

- 6. SP#438, CT Poke-Wilton, LLC, Gateway Shopping Center, 14 Danbury Road, Conversion of existing retail space to a food service establishment**

Mr. Fiteni called the Public Hearing to order at approximately 10:41 P.M., seated members Fiteni, Knapp, Lawrence, O'Hearn, Poundstone, Preston, Rotini, Shiue, and Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal dated October 11, 2017 and referenced into the record a letter dated October 23, 2017 from J. Casey Healy to Robert J. Nerney requesting a continuation of the hearing until November 13, 2017; and a 4-page Planning and Zoning Staff Report dated October 18, 2017.

Mr. Fiteni asked if anyone wished to speak for or against the application.

There being no comments from the Commission or public, at approximately 10:43 p.m. the Public Hearing was continued until November 13, 2017.

REGULAR MEETING

- A.** Mr. Fiteni called the Regular Meeting to order at approximately 10:41 P.M., seated members Fiteni, Knapp, Lawrence, O'Hearn, Poundstone, Preston, Rotini, Shiue, and Tomasetti, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

Mr. Tomasetti noted again for the record that he had listened to the tape of the prior meeting in its entirety.

B. APPROVAL OF MINUTES

1. October 10, 2017 – Regular Meeting

MOTION was made by Ms. Poundstone, seconded by Mr. Lawrence, and carried (7-0-2) to approve the minutes of October 10, 2017 as drafted. Commissioners Knapp and Tomasetti abstained.

C. SITE DEVELOPMENT PLAN REVIEW

1. **SDP**, Gleason & Assoc, LLC, Fujii Properties, LLC, 9 Hollyhock Lane, Second-story addition to accommodate four offices and bathroom, plus various site modifications to handicapped ramp, stairway, parking, etc.

Present was Wilder Gleason, attorney, representing Fujii Properties, LLC.

Mr. Gleason reviewed details of the application, noting that the 0.6-acre parcel is located in the DE-5 zone and the 1950s structure was converted to business/professional use in the 1980s. He stated that the applicant is proposing a family counseling business and thus will be continuing the current business/professional use on the site. He referenced and reviewed a site plan which had been distributed to the Commission earlier in the evening, noting an existing structure that will be torn down due to flood zone considerations and a proposed partial second story addition on an existing building, resulting in a net increase of approximately 350 square feet of habitable space. He stated that parking spaces would increase from 9 to 13, which is 4 more than required (although he acknowledged that a Health Department memorandum issued earlier in the day may require the removal of one space - #9), and he referenced a new egress stairway that will meet code, for which the applicant recently received the necessary variances; as well as a proposed conversion of existing pavement in the rear of the site to pervious pavers per Inland Wetlands Commission direction.

Mr. Gleason addressed all Staff Report comments per his response letter dated October 23, 2017 which was submitted to the Commission earlier in the evening and entered into the record (along with maps/plans/elevations dated October 6, 2017), noting in particular that he would like to discuss parking space #9 further with the Health Department but would be happy to remove it if so required; the applicant will submit a new site plan incorporating all requested site changes; and a revised Form B was submitted as part of the aforementioned response package.

Later in the evening, the Commission confirmed that it wished staff to prepare a draft resolution of approval for vote at the next meeting.

D. ACCEPTANCE OF NEW APPLICATIONS

E. PENDING APPLICATIONS

1. **REG# 17365**, 183 Ridgefield Road, LLC, For Age Restricted District (Overlay) (“AROD”) regulations for property within a Residential “R-1A” or Residential “R-2A” district where property fronts on and provides vehicular access to either Danbury Road, Westport Road or Ridgefield Road from Danbury Road up to the intersection of Ridgefield Road with Drum Hill Road, or located no further than 750 feet from Danbury Road, provided the lot fronts on an arterial public road that directly connects to Danbury Road; and modifications to the Design Residence “DRD”, Townhouse Residence “THRD” and Center Residence Apartment “CRA-10” multifamily housing districts to establish provisions for age-restricted housing.

Tabled.

2. **SP#434**, Millstone Property Holdings, LLC, 180 Millstone Road, To allow a riding stable as defined in Section 29-2.B.132 of Zoning Regulations, including barn and indoor riding ring

Withdrawn.

3. **SUB#918**, Millstone Property Holdings, LLC, 180 Millstone Road, for a 3-lot subdivision from 2 previously existing lots

Tabled.

4. **REG#17366**, an application from Patricia Frisch to amend Sections 29-3.A and 29-5 of the Town of Wilton Zoning Regulations to impose a moratorium (a) on any pending or future application to amend such Regulations in any manner that may allow the rezoning, use or development of any lot located in a R-2A or R-1A Single Family Residence District where such property fronts on or provides vehicular access to Ridgefield Road for multiple single-family or multi-family homes, whether by creation or “restoration” of an age-restricted overlay district or any other district, or otherwise, and (b) on any pending or future application for a zone change or special permit that would allow multiple single-family or multi-family homes on any lot located in a R-2A or R-1A Single Family Residence District where such property fronts on or provides vehicular access to Ridgefield Road, until not less than thirty (30) days following the date on which a new Plan of Conservation and Development (“POCD”) updating the 2010 POCD, including guidelines as to the desirability of any new zoning district or any such

development on Ridgefield Road, is approved and formally adopted by the Planning & Zoning Commission.

Tabled.

- 5. SP#437, H.A.R.T.S. Inc., 196 Danbury Road, To establish package (liquor) store**

The Commission briefly discussed the application. A question arose as to whether to require the applicant to install a sidewalk on the site. It was the general consensus of the Commission to not require a sidewalk as it might encroach onto one of the parking spaces, in addition to the fact that it might not be an appropriate request given the minor nature of the proposed changes to the site.

Staff was directed to prepare a Draft resolution of approval for vote at the next meeting.

- 6. SP#438, CT Poke-Wilton, LLC, Gateway Shopping Center, 14 Danbury Road, Conversion of existing retail space to a food service establishment**

Tabled.

F. COMMUNICATIONS

- 1. Proposed Meeting Schedule 2018**

There were no comments/corrections to the proposed meeting schedule for 2018.

- 2. Discussion of Special Meetings for Plan of Conservation and Development Update.**

Mr. Nerney briefly reviewed the proposed general outline of upcoming PZC meetings in connection with the POCD review/rewrite, noting that the first meeting is scheduled for Wednesday, November 8, 2017.

G. REPORT FROM CHAIRMAN

H. REPORT FROM PLANNER

I. FUTURE AGENDA ITEMS

- 1. SP#435, Wilton YMCA, 404 Danbury Road, To allow construction of additions to existing club and to reconfigure parking areas serving the facilities [Public Hearing – November 27, 2017]**
- 2. SP#436, i.Park Norwalk II, LLC, 1 Cannondale Way, To allow the construction of a parking garage facility [Public Hearing – November 27, 2017]**
- 3. Public Hearing regarding an act concerning temporary health care structures - November 13, 2017**
- 4. SP#439, Millstone Property Holdings, LLC, 180 Millstone Road, To allow a riding stable as defined in Section 29-2.B.132 of Zoning Regulations, including barn and indoor riding ring [Public Hearing – November 13, 2017]**
- 5. SDP, Sola Wilton, LLC, 5 River Road, To permit alternate signage in conjunction with a retail shopping center [Discussion – November 27, 2017]**

J. ADJOURNMENT

MOTION was made by Mr. Lawrence, seconded by Ms. Poundstone, and carried unanimously (9-0) to adjourn at approximately 11:25 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary