

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

**DRAFT**  
**WILTON PLANNING & ZONING COMMISSION MINUTES**  
**MAY 27, 2014 REGULAR MEETING**

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

**ABSENT:** Marilyn Gould (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#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 7:15 P.M., seated members Bufano, Fiteni, Hulse, Knapp, Nabulsi, Poundstone, and Shiue, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal notice dated May 12, 2014.

Ms. Bufano stated that although she received notification as a property owner within 500 feet of the subject site, her property is located on the extreme back of end of Rolling Hills Country Club and she was therefore confident that it would not impede her ability to be impartial.

Present were J. Casey Healy, attorney on behalf of the applicant; Scott Semple, General Manager, Rolling Hills Country Club; and Chris Casaraghi, Reilly Green Mountain Platform Tennis.

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Mr. Healy referred to posted plans (site plan SP-1 and drainage plan SE-1), noting that the applicant is proposing construction of 3 paddle tennis courts and a warming hut to be located between the paddle courts and existing tennis courts.

Mr. Wong arrived and was seated at approximately 7:20 P.M.

Mr. Healy referenced his 4-page response letter to the Commission dated May 27, 2014, noting in particular the following:

- Proposed lighting is typical and widely used in platform tennis facilities throughout Fairfield County;
- Fixtures are cut-off style and will be directed at a 90-degree angle so that bulbs will not be visible;
- Per Photometric Plan PH-1, foot-candle measurements along both the Johnson and Hurlbutt Street property lines will be 0.0;
- A calculation error was confirmed by the applicant on the originally submitted Form B document. The corrected proposed gross floor area will be 6,456 square feet (paddle courts @ 1800 s.f. each + hut @ 1,056 s.f.) as opposed to 750 square feet;
- 29 Green Giant Arborvitae trees are proposed to be planted to reduce potential glare and noise, as shown on plan SP-1;
- The paddle tennis hut will be used for tennis/paddle tennis social functions. Alcohol may be served but there will not be any outdoor speakers for the playing of music;
- Per engineered Drainage Plan, the paddle tennis hut will be served by Town sewer and public water;
- The only lighting on the hut will be ingress and egress lighting, with proposed sconces directed straight down;
- In connection with the proposed open fire pit, a copy of the applicant's response letter was delivered to Fire Marshal Kohn, who indicated that he did not expect to have any issues, but would take a look at the plans and report back. Photos of the proposed fire pit were distributed to the Commission. Mr. Casaraghi confirmed that the full masonry pit would be fueled by underground propane tanks;
- The new site plan shows the required enhanced setbacks, i.e. 60'7" to the Johnson property and 119'10" to Hurlbutt Street.

Ms. Knapp referred for the record to a 3-page Planning and Zoning Staff Report dated May 7, 2014; a memorandum dated May 7, 2014 from Conservation Commission to Planning & Zoning Commission; a 4-page response letter dated May 27, 2014 from J. Casey Healy to Planning and Zoning Commission; and email communications between Daphne White and David A. Kohn dated May 27, 2014.

Mr. Hulse questioned the adequacy of screening for both light and sound, noting that

paddle tennis is more of a winter sport when both light and noise dampening effects of leaves are lost. Mr. Healy stated that he would inquire of Mr. Goven, landscape architect, of Blades & Goven, LLC on that matter prior to the next meeting. Regarding timing of lighting, Mr. Healy noted that the applicant did not request anything past 11 P.M. since that is the general cut-off time for commercial lighting, except for safety lighting.

Addressing Ms. Knapp's concern regarding the attractiveness of arborvitae to the deer population, Mr. Nerney explained that deer are not generally attracted to the Green Giant variety of arborvitae.

Mr. Nerney also called the Commission's attention to the fact that staff questioned why the proposed arborvitae could not be extended along the northerly property line as well. He noted the indication on the plan of future underground electrical service, but he thought that additional screening might still be possible, perhaps in front of the electrical service area. In that regard, he also questioned whether future electrical work might disrupt an existing tree line along the northerly border, noting further that if the existing trees are deciduous then very little, if any, shielding will be provided in that area.

Ms. White questioned whether an existing row of arborvitae along the southerly side of the proposed paddle tennis courts could be preserved rather than planting new arborvitae in that location. Mr. Healy stated that he would look into that possibility and get back to the Commission.

Referencing the size of the dry well, Mr. Nerney stated that it would be helpful to get a signed, stamped letter from an engineer attesting to the adequacy of drainage attenuation.

Mr. Healy indicated that the applicant would look into the aforementioned issues and respond back to the Commission.

Addressing the proposed loss of 1 parking space on the site, Mr. Nabulsi recalled that the Commission had invested a tremendous amount of energy on the issue of parking in connection with a previous application for the subject site. Mr. Healy explained that 218 spaces were approved with the previous application, which would now be reduced to 217 as a result of the consolidation of 2 spaces into 1 handicapped parking space. He recalled that the main focus during that previous application was on the parking located south of the clubhouse. He explained that the proposed handicapped space would be along the northerly row of parking, necessitated by the proposed paddle tennis hut.

Mr. Nabulsi recalled that the applicant took the position at that time that the tennis court parking was part of the overall parking plan for the site. He asked if the applicant could demonstrate as part of the record that the existing 218 parking spaces have been more than adequate so that the proposed loss of 1 space will not be impactful on the site. Mr. Healy agreed to review that issue.

Mr. Nabulsi also asked for clarification with respect to the size of the proposed decking in the area of the paddle tennis hut, between the tennis and paddle tennis courts.

Specifically, he was concerned about the size of any possible social functions/number of people that the area might accommodate as a future gathering spot.

Mr. Casaraghi reviewed dimensions of the area in question, noting that mainly the 600+/- square-foot area immediately around the fire pit would likely be used as a gathering place. Addressing the question of occupancy, he felt that the area would likely be used before or after play on the paddle tennis courts with an estimated maximum of 12 people at any given time. Mr. Nabulsi cited the example of the YMCA which has gatherings/events in a similarly staged area that go well beyond a 12-person maximum. Mr. Casaraghi acknowledged that it would technically be possible, although he felt unlikely, as a premise.

Mr. Hulse noted that a similar area at the Riding Club has accommodated as many as 120 people at one time, although he observed that the Riding Club does not have access to a clubhouse for overflow as is the case with Rolling Hills.

Mr. Healy stated that he would meet with the General Manager of the Club and refer the question to the Paddle Tennis Committee as to what kind of criteria could be provided to the Commission to more clearly quantify anticipated events/occupancy in that area.

Mr. Nabulsi stated that he would feel more comfortable if the applicant could circumscribe the size/scope of such events so as to be certain they would not negatively impact the local neighbors.

Mr. Healy stated that the applicant could also check with the Building Department regarding the maximum permitted occupancy of the deck.

Mr. Nabulsi stated that he would also like to understand what, if any, limitations the applicant would envision with respect to hosting events with number of attendees exceeding the Club's total membership numbers.

Mr. Casaraghi explained that the warming hut has no kitchen area and is designed to only accommodate the 3 proposed paddle tennis courts. Mr. Healy stated that he would look further into the questions raised by the Commission and report back at the next meeting.

Mr. Wong questioned the anticipated hours of operation for the warming hut and paddle courts, citing noise and lighting issues that have arisen in the past with The Lake Club in Town. Mr. Healy stated that he would check with Rolling Hills in that regard and report back.

Ms. Poundstone noted that every year or so, applications come before the Commission for modifications to the site. She questioned whether there is some master plan available that details anticipated renovations/site modifications. Mr. Healy stated that there is no such master plan. He noted that the sport of paddle tennis is growing nationally and he suspected that the current application was the result of membership interest. He did indicate that the Club will probably wish to make use of the former pro shop sometime in the future, possibly for an indoor golf training facility, but he was not aware of any other future plans for the site.

Mr. Hulse 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 8 P.M. the Public Hearing was continued until June 9, 2014.

## **REGULAR MEETING**

- A.** Mr. Hulse called the Regular Meeting to order at 8 P.M., seated members Bufano, Fiteni, Hulse, Knapp, Nabulsi, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

## **B. APPROVAL OF MINUTES**

### **1. May 12, 2014 – Regular Meeting**

**MOTION** was made by Ms. Knapp, seconded by Ms. Poundstone, and carried (8-0) to approve the minutes of May 12, 2014 as drafted.

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

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

## **E. PENDING APPLICATIONS**

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

Tabled.

**F. COMMUNICATIONS**

**G. REPORT FROM CHAIRMAN**

**H. REPORT FROM PLANNER**

Mr. Nerney noted for the record that the next Planning and Zoning meeting will be held in the Brubeck Room at Wilton Library to accommodate the larger number of attendees anticipated in connection with the proposed Section 8-30g development at 44 Westport Road.

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Mr. Fiteni noted that the State Legislature recently passed a 1-year moratorium on 8-30g developments in Milford, which has not yet been signed by the Governor. Mr. Nerney noted that the Town's attorney is looking into the possibility of an 8-30g moratorium in Town, although he explained that Milford has had an onslaught of such applications as compared to only two such applications in Wilton. He noted further that generally such moratoriums, when implemented, are not retroactively applied.

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Ms. Poundstone complimented Mr. Nerney on a recent grant approval for pedestrian linkage between the Wilton train station and Wilton Center, noting that he had devoted considerable time and energy into the project. Mr. Nerney explained that the plan is to construct a pedestrian foot bridge over the river and across the Portofino property, over which the Town was granted an easement some years ago. He noted that the \$500K grant should be able to cover the full extent of the project.

**I. FUTURE AGENDA ITEMS**

- 1. SDP, 44 Westport Road, LLC, 44 Westport Road, To allow construction of twenty (20) units pursuant to Section 8-30g of CT General Statutes [P.H. – Monday, June 9, 2014]**

**J. ADJOURNMENT**

MOTION was made by Ms. Knapp, seconded by Ms. Poundstone, and carried unanimously (8-0) to adjourn at 8:11 P.M.

Respectfully submitted,

Lorraine Russo  
Recording Secretary