

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 DECEMBER 8, 2008 REGULAR MEETING

PRESENT: Chairwoman Sally Poundstone, Vice Chairman John Wilson, Secretary Bas Nabulsi, Commissioners Alice Ayers, Doug Bayer, Marilyn Gould, Dona Pratt, and Michael Rudolph

ABSENT: Eric Osterberg (notified intended absence)

ALSO

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

Ms. Poundstone called the Meeting to order at 7:00 P.M., seated members Ayers, Bayer, Gould, Nabulsi, Poundstone, Pratt, Rudolph, and Wilson.

NOMINATION & ELECTION OF OFFICERS

Chairman

Vice-Chairman

Secretary

Mr. Rudolph stated that the existing slate of officers has agreed to serve again in their respective capacities. He nominated Sally Poundstone as Chairman, John Wilson as Vice-Chairman, and Bas Nabulsi as Secretary.

MOTION was made by Ms. Pratt, seconded by Mr. Bayer, and carried (8-0) to close the nomination for officers.

The slate of officers was approved as nominated by a vote of (8-0).

PUBLIC HEARINGS

1. SUB#899, DeSola, 21 Edith Lane, 2-lot subdivision

Ms. Poundstone called the Public Hearing to order at 7:03 P.M., seated members Ayers, Bayer, Gould, Nabulsi, Poundstone, Pratt, Rudolph, and Wilson, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

Mr. Nabulsi referred for the record to a letter dated December 3, 2008 from Anthony J. Tranquillo to Planning and Zoning Commission; a 2-page letter dated December 4, 2008 from J. Casey Healy to Planning and Zoning Commission; and a letter dated December 8, 2008 from Douglas DiVesta, P.E. to Daphne White.

Present were Clarissa Cannavino, attorney; Doug DiVesta, engineer; both on behalf of the applicant; and Tony Tranquillo, engineer, consultant for the Town.

Ms. Cannavino stated that the applicant had complied with all issues raised by Mr. Tranquillo in his letter of December 3, 2008. She noted further that the applicant also met with staff and had verified slope calculations.

Mr. DiVesta briefly reviewed drainage measures proposed by the applicant to attenuate runoff along the easterly property line during and after construction. He cited staging of various measures, including trenching and installation of trap rock along foundation footings for use as a temporary drainage ditch prior to construction of a proposed retaining wall.

Mr. Tranquillo advised the Commission that he was fully satisfied that all concerns and issues have now been addressed by the applicant. He recommended that a pre-construction meeting be scheduled with PZC staff, site developer and contractor to review specific conditions/expectations prior to development of the site.

In response to a question from Mr. Bayer as to whether the applicant would be required to build exactly as specified on the plans, Mr. Nerney explained that a subdivision plan is a hypothetical proposal to show that a site has the capacity to accommodate the number of lots/structures as proposed. He noted, however, that a condition has been included in a draft resolution of approval, should the Commission decide to approve the subject application, indicating that any substantial deviation from the plans as proposed/approved would require additional approvals from the Commission.

Mr. Tranquillo addressed concerns regarding the impact of proposed development on drainage in an area of the shared driveway that currently pools, and which was a concern raised by an adjoining neighbor at previous hearings. Mr. Tranquillo stated that there would be no impact on the hydraulics in that area if development is conducted as

P&Z Minutes – 12/08/08 – Page 3

proposed and drainage measures are undertaken as agreed to by the applicant. He noted further that there is no depth of flow in that pooling location and therefore vehicles will be able to navigate through.

Mr. Nerney addressed concerns raised by the Commission regarding ledge and potential blasting impacts on the neighborhood. He explained that blasting, if required, would be regulated through the Fire Department and State code in order to minimize area impacts. Noting that the Commission's interests are somewhat different from the aforementioned agencies, Ms. Gould suggested that a condition be imposed to insure that there will be no adverse effects from blasting on wells/foundations in the area. It was determined that a condition would be added to any resolution of approval to insure that the developer would be cognizant of these issues.

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

Bill Heyde, 23 Edith Lane, submitted into the record a 2-page letter from Bill and Jackie Heyde, along with two photos. He expressed concerns with 1) potential runoff onto his property from a gap area in the proposed silt fencing during rainy periods of construction; 2) location of construction vehicles on the common driveway and dirt stockpiling on the site during construction; 3) site safety in connection with the long, narrow, winding and hilly driveway, and 4) the accessibility of any Clerk of the Works employed for the site.

Addressing Mr. Heyde's drainage concerns, Mr. DiVesta stated that the applicant could install additional drainage controls before any predicted storms, noting that the placement of hay bales across the driveway entrance, as well as the proposed catch basins, would all collect runoff from the site. Mr. Tranquillo noted that there would be curbing and catch basins to intercept water runoff and conduct it away from Mr. Heyde's property, ultimately resulting in a better drainage situation upon completion of the proposed site improvements.

Mr. Nerney addressed the issue of construction vehicles on the driveway. He felt that since public purpose is served by keeping the driveway free and clear (referring in particular to emergency vehicle access), it would be reasonable to establish some controls/conditions so that this issue is addressed appropriately. Mr. DiVesta noted that on-site workers could be required to car pool and/or park at the bottom of the driveway. He stated that many of these issues/concerns could be discussed during the previously recommended pre-construction meeting.

Ms. Cannavino reminded the Commission that the applicant had agreed to hire a Clerk of the Works for the site.

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

**2. SP#344, Consumers Petroleum of CT, Inc, 386 Danbury Road,
Addition/modifications to existing convenience store/gas station**

Ms. Poundstone called the Public Hearing to order at 7:41 P.M., seated members Ayers, Bayer, Gould, Nabulsi, Poundstone, Pratt, Rudolph, and Wilson, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Mr. Nabulsi read the legal notice dated November 24, 2008 and referred for the record to a 4-page Planning and Zoning Staff Report dated December 4, 2008, and a memorandum dated December 8, 2008 from Steven H. Schole to Daphne White.

Present were John Knuff and Catherine Cuggino, attorneys; Roger Snelling, applicant; and Bill Carbone, engineer.

Mr. Knuff reviewed details of the proposed application, noting the following:

- The application represents a substantial upgrade of both the convenience store and the gas station, from an architectural, aesthetic, landscaping and zoning perspective.
- The site in question consists of just the front area of the parcel and is located in both a GB (General Business) zoning district and in an aquifer protection zone.
- The existing canopy, currently not in compliance with a recently issued variance, will be brought into compliance.
- The separation of the pumps will be brought into greater conformance with regulations.
- Parking on the northerly edge will become less non-conforming and will be brought into conformance on the southerly and westerly borders, and a handicapped parking space will be added.
- Environmental aspects of the site will be improved via an additional canopy and installation of drip pads
- Landscaping will be added/improved along the entire frontage and the southerly property line
- Fiber siding, a peaked roof and columns will be added for aesthetic purposes.
- Internal illumination of an existing non-conforming sign will be eliminated.

Mr. Carbone distributed revised plans and briefly reviewed proposed site modifications. He noted in particular that, per staff recommendations, a dumpster was added; the 100-year flood plain line was noted on the plans; the proposed earth stockpile site was shifted further forward, although it is still partially located in the flood plain; and a handicapped sign was added to the handicapped parking space.

Mr. Bayer expressed concern with evaluating only the 0.3-acre portion of the property

which the applicant leases out of the entire 1.03-acre site, referring in particular to concerns with potential parking and traffic flow on the full site. Mr. Nerney felt that the Commission's authority was not necessarily limited to the portion under contractual lease by the applicant, noting that there is an opportunity to improve upon the site as a whole. Mr. Rudolph stated that he would like the Commission to be able to treat this property as a totality and to address as many issues as possible.

Mr. Knuff stated that the applicant would be happy to provide parking calculations for the entire site and to have a dialogue with the owners of the property, emphasizing the fact that the applicant could only control the front area that it leases. He reminded the Commission that the site has been operating in this way since the 1950s, noting that the modifications proposed would represent a huge improvement to the site. He cautioned that an attempt on the part of the Commission to correct all violations that are pre-existing on the site could result in "throwing away the baby with the bathwater".

Mr. Bayer referred to a notation on the submitted plans regarding monitoring wells and the implication that there might be environmental concerns on the site. Although the applicant indicated that an environmental study of the site was completed and the property is clean, the Commission requested more details regarding the history of the site, the purpose of those wells, their current monitoring and maintenance requirements, and whatever other information the applicant could provide in that regard.

Mr. Carbone noted that the monitoring wells will become irrelevant since the applicant is proposing replacement of the underground tanks with new double-walled tanks and installation of new lines with internal sensing systems. The Commission requested additional information from the applicant concerning the technology of the proposed tanks given the property's location in an aquifer protection zone.

Mr. Snelling explained further that the tanks will be state-of-the-art, constructed of steel with a fiberglass coating and built-in sensors, and will have a 30-year life expectancy.

Mr. Bayer expressed concern regarding the storage of potentially contaminated soils within the flood plain and the potential run-off of those soils into the nearby river, and he requested that the applicant speak to its landlord regarding a safer storage location on the site.

Mr. Knuff explained that the selected storage location was chosen because of the ease of staking-in the required silt fencing, which would be much more difficult on a paved surface. He noted further that flood plain regulations do not apply in instances where applicants are complying with State statute-required upgrades/tank replacements. As a result, the applicant would not have been required to abide by these regulations if the tank replacements had been the only proposed improvement to the site.

Mr. Nerney explained the distinction between a flood plain and a floodway, noting that a floodway is the area within the flood plain that needs to be preserved in order to move currents of water during a 100-year flood condition. He requested that the applicant also delineate the floodway area on the plans.

Mr. Carbone briefly reviewed three alternative landscaping plans for the site, noting that the applicant would be willing to incorporate any one of the plans per the Commission's wishes. Ms. White suggested implementing the last plan presented, which included sergeant junipers and arborvitaes, cautioning that the arborvitaes should be a low-growing cultivar. Mr. Carbone submitted the selected plan into the record.

In response to a request for clarification on signage, Mr. Knuff explained that the applicant will remove the existing internal illumination from the one non-conforming sign and will change its orientation from vertical to horizontal.

Mr. Rudolph stated that he would like the proposed bollards to be noted on the plans.

Mr. Knuff distributed responses to the Planning and Zoning Staff Report. He referred to a Health Department memorandum dated December 8, 2008 from Steven H. Schole, noting that the applicant will work with Mr. Schole to satisfy his concerns/issues.

The applicant responded to additional questions/issues raised by the Commission, as follows:

- Early morning deliveries are anticipated in connection with day-to-day stocking of the convenience store; there is no requirement for a loading zone per zoning regulations although a door can be installed on the side of the building if the Commission so desires.
- Addressing the potential issue of excessive vehicle queuing that could result from the sale of lower-priced fuel, the applicant indicated that gasoline would be a brand name and not a discount variety.
- The convenience store will have no sitting or standing eat-in areas.
- The site configuration will remain basically the same as currently (i.e. no demarcation between the subject property and the property to the north, except for an additional parking space on the northern border).
- Addressing the question of circulation in the area of the diesel tank, it was noted that Young's Nursery is currently the largest user of those tanks and their trucks have no difficulty getting in/out of the site.
- A lighting study will be provided to the Commission. It was noted that the only additional lighting proposed will be in the canopy itself.
- Hours of operation will be 5 AM – 11 PM.

Mr. Bayer expressed discomfort with treating the applicant's area of the site in isolation from the rest of the parcel. He stated that he would like to obtain some improvements on

existing nonconformities on the site.

Mr. Nabulsi stated that he wished to obtain a greater degree of comfort with respect to site safety, referring in particular to traffic circulation and pedestrian safety on the site.

Mr. Knuff referred to Comment #1 of the applicant's response package dated December 8, 2008. He explained that the applicant is requesting a waiver of Section 29-9.D.9 of zoning regulations requiring a professional Aquifer Impact Assessment. He cited the small size of the site and the fact that if the applicant were just removing/replacing the tanks, it would not be subject to the requirements of Section 29-9.D.9.

The Commission was somewhat reluctant to waive the requirement, questioning in particular whether the DEP might have a history of any past leaks on the site while also noting that a previously "clean" report doesn't necessarily mean that the site is currently clean. Mr. Nerney pointed out that, ironically, the applicant is trying to improve the site by proposing environmentally safer replacement tanks than currently exist.

Mr. Knuff noted that no recharge/infiltration would be taking place given the amount of asphalt pavement on the site. However, he stated that the applicant would do some more homework and provide more information so that the Commission would be more comfortable addressing the applicant's request for a waiver of the Aquifer Impact Assessment.

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 9:20 P.M. the Public Hearing was continued until January 12, 2009.

REGULAR MEETING

- A. Ms. Poundstone called the Regular Meeting to order at 9:21 P.M., seated members Ayers, Bayer, Gould, Nabulsi, Poundstone, Pratt, Rudolph, and Wilson, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

B. APPROVAL OF MINUTES

1. November 24, 2008 – Regular Meeting

MOTION was made by Mr. Wilson, seconded by Ms. Ayers, and carried (7-0-1) to approve the minutes of November 24, 2008 as drafted. Ms. Pratt abstained.

C. SITE DEVELOPMENT PLAN REVIEW

D. ACCEPTANCE OF NEW APPLICATIONS

E. PENDING APPLICATIONS

1. SUB#899, DeSola, 21 Edith Lane, 2-lot subdivision

The Commission reviewed draft resolution #1208-4S. Modifications were made to conditions of approval including requirement of a pre-construction meeting, cautions relating to blasting impacts, and maintenance of clear access at all times on the common driveway during construction.

Ms. Gould noted for the record that she did not feel the parcel was capable of being developed into two lots.

MOTION was made by Mr. Wilson, seconded by Mr. Bayer, and carried (7-0-1) to adopt as amended Resolution #1208-4S for SUB#899, effective December 11, 2008. Ms. Pratt abstained.

WHEREAS, the Wilton Planning and Zoning Commission has received a **Subdivision** application SUB#899 from Wilfred T. de Sola, for a two-lot subdivision located on Edith Lane, in an R-1A District, Assessor's Map #84, Lot #69, 2.389 acres, owned by Wilfred T. de Sola and shown on the plans entitled:

Proximity Sketch prepared for Wilfred T. DeSola, prepared by William W. Seymour & Associates, land surveyors, dated September 8, 2008, no sheet #, at a scale of 1"=100'.

Property Survey prepared for Wilfred T. DeSola, prepared by Jeffrey W. McDougal, land surveyor, dated April 23, 2008, last revised November 14, 2008, no sheet #, at a scale of 1"=30'.

Topographic Survey prepared for Wilfred T. DeSola, prepared by Jeffrey W. McDougal, land surveyor, dated April 23, 2008, last revised October 21, 2008, no sheet #, at a scale of 1"=20'.

Proposed Site Plan prepared for de Sola Subdivision, prepared by Douglas P. DiVesta, engineer, dated April 23, 2008, last revised November 24, 2008, sheet # 1 of 3, at a scale of 1"=20'.

Proposed Site Plan prepared for de Sola Subdivision, prepared by Douglas P. DiVesta, engineer, dated April 23, 2008, last revised October 9, 2008, sheet # 1 of 2, at a scale of 1"=20'.

Details prepared for de Sola Subdivision, prepared by Douglas P. DiVesta, engineer, dated June

P&Z Minutes – 12/08/08 – Page 9

23, 2008, last revised November 24, 2008, sheet # 2 of 3, scale as noted.

Details prepared for de Sola Subdivision, prepared by Douglas P. DiVesta, engineer, dated June 23, 2008, last revised September 11, 2008, sheet # 2 of 2, scale as noted.

Proposed Stabilization Plan prepared for de Sola Subdivision, prepared by Douglas P. DiVesta, engineer, dated July 23, 2008, last revised November 24, 2008, sheet # 3 of 3, at a scale of 1"=20'.

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on October 14, 2008, November 10, 2008, November 24, 2008 and December 8, 2008 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

WHEREAS, the application was approved by the Inland Wetlands Commission and the Planning and Zoning Commission has given due consideration to the decision of the Inland Wetlands Commission; and

WHEREAS, the Commission has engaged the services of an independent licensed engineer to review the proposed drainage layout, hydrology report and overall site plan design and finds such methodology and practices to be in conformance with town zoning and subdivision regulations; and

WHEREAS, the Planning and Zoning Commission has determined that the application is in substantial compliance with the Wilton Subdivision Regulations;

NOW THEREFORE BE IT RESOLVED effective December 11, 2008 the Wilton Planning and Zoning Commission **APPROVES** the two-lot subdivision subject to the endorsement and filing of the record Subdivision Map, and subject to the following conditions:

A. GENERAL CONSIDERATIONS

1. It is the responsibility of the applicant to obtain any other permits or licenses required by law or regulation. Governing bodies which may have jurisdiction include the Town of Wilton; the State of Connecticut or the United States Government.
2. No equipment or material shall be deposited, placed or stored in any wetland or water course, on or off site unless specifically authorized by an Inland Wetlands Permit.
3. Housing numbers shall be as follows:
 - Lot 1 shall remain 21 Edith Lane, (Map#84 Lot#69)
 - Lot 2 shall become 22 Edith Lane, (Map#84, Lot#69-1)

B. CONDITIONS PERTAINING TO BOTH LOTS

4. At the applicant's sole expense, the applicant or its successor shall pay the Town of

- Wilton to have a “Clerk-of-the-Works” on site during all phases of site disturbance and stabilization for each lot. Said “Clerk of the Works” shall be chosen by the Town. The applicant shall deposit an amount to be determined by the Commission’s staff to pay for the “Clerk of the Works” prior to the commencement of any site work. Such amount shall be amended from time to time as needed, to pay for the “Clerk of the Works”. Any non-depleted funds shall be returned to the applicant in full following the issuance of zoning certificates of compliance for each respective lot.
5. Driveways shall be clearly marked to facilitate rapid identification by emergency vehicles.
 6. Fuel oil tanks shall only be located above ground or within a basement.
 7. The applicant shall employ all reasonable measures to ensure that any use of explosives during construction of either lot does not damage neighboring properties.
 8. The applicant shall provide and maintain a gravel-based driveway pull off area as shown on submitted plans so as to permit the passing of two vehicles. The location and design of said improvement shall be subject to Planning and Zoning Department review and shall be functional prior to the issuance of zoning certificate of compliance for the first completed residential structure.
 9. All existing stone walls and existing trees and shrubs shall be preserved to the fullest extent possible.
 10. To ensure public safety, clear access of the driveway shall be maintained at all times during construction. Construction equipment shall not be parked or stored on or within any public right-of-way.
 11. Any change deemed significant in the discretion of the Planning and Zoning Department staff in the build-out of each lot or location and design of infrastructure improvements associated with this application shall be subject to the review and approval of the Commission.
 12. The applicant, contractor and Planning and Zoning Department staff shall have a pre-construction meeting in order to ensure compliance with Planning and Zoning Commission requirements. Said meeting shall be conducted prior to the commencement of any site work including tree cutting and/or land clearing; the results of which shall be to the full satisfaction of the Planning and Zoning Department staff.
 13. Unless otherwise approved by the Planning and Zoning Department staff, all site disturbance shall be performed in a manner as indicated on the grading plan.
 14. There shall be no construction activities on the site on Sundays or holidays. The hours of construction shall be within the hours of 7:00 am and 5:00 pm Monday through Friday and 8:00 am and 5:00 pm on Saturdays. Such restrictions shall not apply to interior work performed within individual houses.
 15. Final plans shall be updated to include the Health Department certification block pursuant to Section 3.315 of the Subdivision Regulations.
 16. A copy of this resolution shall be given to the project manager of each lot and shall be available on site during construction.

C. PRIOR TO FILING OF FINAL SUBDIVISION MAP

17. The Final Subdivision Plan shall be revised to include the following:
 - a. The address designation within each approved lot as specified herein.
 - b. The note: “Water supply wells shall be constructed and approved after foundation completion but prior to continuation of house construction”.
 - c. The note: “Subdivision #899 for conditions of approval see Resolution #1208-4S
 - d. The subdivision map shall be filed within 90 days following expiration of the appeal period, unless the applicant obtains an extension from the Planning and Zoning Commission.
 - e. The applicant shall provide the Planning and Zoning Department with an electronic copy of the subdivision plan prior to the recording of said plan with the Town Clerk.

D. SUBSEQUENT TO FILING OF THE FINAL SUBDIVISION MAP

18. The applicant shall, within thirty (30) day of the filing of the Final Subdivision Plan, submit the following:
 - a. Eight (8) paper prints of the filed subdivision plan with the Town Clerk’s notations. Said prints shall be signed and embossed by all the appropriate consultants/engineers.
 - b. The record subdivision map shall indicate all watercourses and wetlands on the three lots and shall delineate the limit of disturbance on each lot.
 - c. A Mylar reduction of the approved Subdivision Plan at a scale of 1"=800'.
 - d. Four (4) copies of all other plans and documents as specified herein. Said plans and documents shall bear the seal, signature and license number of the registered professional(s) responsible for preparing appropriate sections of the plans and documents.

E. PRIOR TO THE ISSUANCE OF A ZONING PERMIT

19. Prior to obtaining a zoning permit for the re-development of either lot, the applicant shall submit a site plan for review by the Commission’s staff. Each site plan shall include a tree and stone wall preservation plan. Such plan shall locate trees with a diameter (caliper) over 16” within the buildable area and 10” diameter (caliper) within the setback areas and the location of stone walls. The plan shall explain why any such tree or stone wall is not being preserved, and shall explain alternate plans that have been considered. All trees and stone walls included in the tree and stone wall preservation plan must be protected during the construction phase and thereafter.
20. The site plan to be reviewed shall also include slope calculations delineating the amount of proposed slope disturbance on each lot on slopes greater than 15% and

- slopes 35% or greater for review by the staff for their approval prior to receiving a zoning permit.
21. All disturbed areas, including areas where trees are to be removed, shall be clearly delineated through the use of either silt or construction fencing prior to the commencement of any site activity. Delineation of such areas shall be performed by a licensed surveyor and approved by staff prior to the commencement of any site work.
 22. The site plan for both lots shall be in accordance with the applicant's approved site development plans entitled Proposed Site Plan prepared for de Sola Subdivision, prepared by Douglas P. DiVesta, engineer, dated April 23, 2008, last revised November 24, 2008, sheet # 1 of 3, at a scale of 1"=20'.
 23. The proposed storm drainage and various details for both lots shall be in accordance with the applicant's approved detail plan entitled Details prepared for de Sola Subdivision, prepared by Douglas P. DiVesta, engineer, dated June 23, 2008, last revised November 24, 2008, sheet # 2 of 3, scale as noted.
 24. The applicant shall fully stake and delineate the limits of site disturbance for each lot. Delineation of staked areas shall be reviewed and inspected by Planning and Zoning staff prior to the issuance of a zoning permit.
 25. Zoning permits involving new construction for each individual lot shall be accompanied by a hydrology report prepared and stamped by a Connecticut-licensed engineer if the proposed site development plan differs from the submitted stamped engineering plans reviewed by the Planning and Zoning Commission. Any deviation from the submitted and approved plans shall be subject to the submittal of a revised hydrology report to the Planning and Zoning Department staff. Any changes to the site plan and/or hydrology report shall conform to standards set forth in the zoning regulations and subdivision regulations.
 26. A bond estimate for all site work shall be provided by the applicant to the Commission's staff, which shall include, but not be limited to sedimentation and erosion controls, tree protection, stormwater drainage, regrading, retaining walls, seeding and a 10% contingency. Such amount shall be approved by the Commission's staff. The bond shall be in a form and amount with proper surety satisfactory to the Commission's Land Use Counsel and shall be submitted prior to any site disturbance.

F. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE

27. All new utilities for each lot (2) shall be installed underground prior to the issuance of a certificate of zoning compliance.
28. All lot corners shall be pinned and verified by the applicant's Land Surveyor and shall be submitted prior to obtaining zoning compliance for each lot.
29. An as-built plan showing the location of the installed infiltrators as depicted on the approved site development plan shall be submitted prior to zoning compliance for each lot. The engineer of record shall inspect the construction process and, upon completion, provide a letter and an as-built plan certifying that the site detention system has been installed as per the approved hydrology report and site plan.

30. Prior to the issuance of a zoning certificate of compliance, a document outlining the procedures for the maintenance of the on-site detention system shall be submitted to the Planning and Zoning Department for review and approval. Said document shall be recorded in the land records for each lot.
31. The applicant shall submit an as-built slope plan and slope calculations prior to the issuance of a zoning certificate of compliance for each lot. Site disturbance shall be in conformance with provisions outlined in Section 29-9.I.2. of the zoning regulations.

-END RESOLUTION-

2. **SP#344, Consumers Petroleum of CT, Inc, 386 Danbury Road,
Addition/modifications to existing convenience store/gas station**

Tabled.

F. COMMUNICATIONS

1. **Approval of Expanded 2009 Planning and Zoning Commission Schedule**

MOTION was made by Mr. Bayer, seconded by Mr. Wilson, and carried unanimously (8-0) to approve the expanded 2009 Planning and Zoning Commission schedule as proposed.

G. REPORT FROM CHAIRMAN

1. **Reports from Committee Chairmen**

H. REPORT FROM PLANNER

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

MOTION was made by Mr. Wilson, seconded by Mr. Bayer, and carried unanimously (8-0) to adjourn at 9:48 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary