

APPROVED / REVISED
MINUTES of the SPECIAL MEETING
INLAND WETLANDS BOARD

May 30, 2006

Present: Joseph Fossi
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Walter Slavin
Patrick Walsh
Lillian Willis

Absent: Michael Autuori

Also Present: Betty Brosius, Inland Wetlands Agent

At 7:32 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

NEW ITEMS

1. **#2006-049-SR:** Summary Ruling application to conduct regulated activities in upland review area for construction of a two-car garage at **63 Beaver Brook Road** in the RAA zone. Owners/Appls.: John & Kerri Meegan. *65-day action period ends 8/10/06. For receipt and schedule walk.*

Chairman Mucchetti asked for acknowledgement of receipt of the application, and suggested June 4, 2006 for a site walk. Mrs. Willis motioned to receive the application and to schedule the walk as suggested. The motion was seconded by Mr. Slavin. The motion passed by a vote of 8-0.

BOARD WALKS

The Board scheduled the site walk for **63 Beaver Brook Road**, as noted in item #1. The Agent reminded the Board that there is also a site walk scheduled for June 4th for a summary ruling application at **Wilton Road East**, north of intersection with Split Level Road in the RA Zone. Owner: Earl A. Burchard.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti pointed out the letter from Aquarion Water Company in the packet, pertaining to the application for **48 Peaceable Hill Road** (public hearing scheduled for June 6th).

MINUTES

There were no minutes for approval.

Hearing no further discussion, the Chairman adjourned the meeting at 7:36 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent

APPROVED / REVISED
MINUTES of the SPECIAL MEETING
PLANNING AND ZONING COMMISSION

May 30, 2006

Present: Joseph Fossi
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Walter Slavin
Patrick Walsh
Lillian Willis

Absent: Michael Autuori

Also Present: Betty Brosius, Director of Planning
Richard Baldelli, Zoning Enforcement Officer

At 7:37 p.m., Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **Workshop Session**, Zoning Regulations update with Glenn Chalder, Planimetrics

Glenn Chalder, AICP, consultant planner from Planimetrics, LLC, was present to discuss the proposed Definitions section of the regulations with the Commission.

Mr. Chalder summarized the work sessions completed as of this date, and the need to schedule a public information session on the revised draft for the end of June or possibly in the fall, depending on the extent of unresolved issues that may still be on the table at the end of tonight's meeting. In any case, he does not recommend scheduling a public session in July or August, when many people are on vacation.

Mr. Chalder and the Planner introduced the discussion on the agenda for tonight's meeting, the section on "Definitions." The Planner pointed out that the "Illustrated Book of Development Definitions," published at Rutgers University, is the recommended text for new definitions or existing definitions that need improvement.

Mr. Katz emphasized the importance of correcting the contorted language in many of the definitions. Mr. Baldelli confirmed that, based on his recent research of a project in the office, many of the definitions are exactly the same as the language adopted in the first set of zoning regulations for the Town, dated 1946.

Mr. McChesney made a general statement about the definitions pertaining to the Continuing Care Retirement Facilities, congregate care, the Alzheimer's facility, and similar uses in the zoning regulations. Many of these definitions seem outdated, unnecessary, and repetitious. These definitions may be reduced in number, combined and generalized.

There was lengthy discussion about the difference (or not) between the definitions for "basement" and "cellar." The consensus was that there should be one definition, for basement. The amount of exterior wall exposed or underground for basements would determine whether the basement would be considered as a "story," and whether it would affect calculations for building height.

The Commission asked Mr. Chalder to provide some guidance on the definition for "commercial vehicle." It was generally agreed that a homeowner who drives a van or pick-up or similarly sized vehicle to and from work and his home should be allowed to park that vehicle at his residence. The nature of prohibited commercial vehicles in residence zones should be determined by size. The definition should help to clarify this.

The subject of "floor area" and "floor area ratio" (FAR) was discussed at length. The Planner, Mr. Fossi and Mr. Baldelli all pointed out that homeowners are asking for the maximum floor area permitted in the zone for use as living space, and detached garages are becoming more common because the area of the detached accessory structure is not counted in the FAR calculation.

Porches are also an issue, because porches with roofs, enclosed or not, count in the FAR calculation. The aesthetic architectural detail provided by a porch is being avoided in favor of using the permitted floor area as living space. Mr. Fossi said he is familiar with a regulation in another town (New Canaan?) where a portion of the floor area for the porches is not counted, based on a percentage of the total floor area of the house.

The consensus after much discussion was that floor area, floor area ratio and lot coverage are issues that need more study and recommendation by the consultant planner and staff. An intelligent exclusion of the area for a garage, attached or detached, should be permitted. A definition for garage is needed, to distinguish garages for vehicles from barns or other outbuildings. The general consensus was that porches, or a portion of porches based on a percentage formula, should be excluded from the FAR calculation.

The work session ended with only half of the definitions discussed, and will be continued on June 27th, along with some discussion on other sections of the regulations.

NEW ITEMS

There were no new items.

COMMISSION WALKS

There were no walks to be scheduled.

REQUESTS FOR BOND RELEASE / REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

The Chairman pointed out the following correspondence distributed to the Commission in the packet:

- Letter from Roche Incorporated regarding trees at the **Temple Shearith Israel, 46 Peaceable Street**, and letter from Tree Warden John Pinchbeck suggesting the removal and pruning of certain dead or diseased trees. The development was the subject of a special permit approved by the Commission in 1995. After some discussion and review of photographs of the trees, the Commission conceded that the trees could come down in favor of planting healthy trees in their place. Mr. Katz motioned, seconded by Mr. McChesney, to agree to the request for removal of the trees. The motion passed, 7-1, with Mrs. Willis opposed because she preferred to make a decision after examining the trees.
- E-mail correspondence regarding the continued public hearing for special permit application at **66 Grove Street** between the Planner, Scott Bristol of Shaw Environmental, and Lynne Ward (representing the applicant).
- Letter from Matt Ranelli at Shipman & Goodwin, LLP, regarding the affordable housing development at **619 Danbury Road for Terrar, LLC**, following the judge's decision in favor of the applicant on the appeal. The item will appear on the June 6, 2006 agenda for discussion.

Hearing no further discussion, the Chairman adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning