

APPROVED / REVISED
SPECIAL MEETING MINUTES
INLAND WETLANDS BOARD

July 25, 2006

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

Absent: Michael Autuori
Patrick Walsh

Also Present: Betty Brosius, Inland Wetlands Agent
Richard Baldelli, Zoning Enforcement Officer

At 7:30 p.m. Chairman Mucchetti called the meeting to order.

The only items listed on the agenda for action were minutes for approval.

BOARD WALKS

Chairman Mucchetti pointed out that the only site walk scheduled for September is on the 10th, for **61 Olmstead Lane** (file #2006-061-SR).

MINUTES

Mr. Katz motioned to approve the minutes of **July 5, 2006**, seconded by Mr. Fossi. Chairman Mucchetti and Mrs. Willis pointed out a few minor corrections. The minutes were adopted by a vote of 7-0.

Mr. Fossi motioned to approve the minutes of **July 11, 2006**, seconded by Mr. Slavin. Mrs. Willis asked for corrections on page 2, adding the words “for a dirt base” to the end of paragraph 3 and pointing out in paragraph 5 that the conservation easement offered by the applicant was on Lot 2B in the subdivision. Mr. Fossi said the reference to “Mr. Katz” and “Mr. Fossi” for paragraphs 4 and 5 should be reversed. Chairman Mucchetti offered a few additional minor corrections. The amended minutes were adopted by a vote of 7-0.

Mr. Katz motioned to approve the minutes of **July 18, 2006**, seconded by Mr. Fossi. Mrs. Willis pointed out in paragraph 2 under item #5 that the “vegetative protective buffer” should be defined as “around the pond.” The corrected minutes were adopted by a vote of 7-0.

CORRESPONDENCE

There was no correspondence.

Hearing no further discussion, the Chairman adjourned the meeting at 7:39 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent

APPROVED / REVISED
SPECIAL MEETING MINUTES
PLANNING AND ZONING COMMISSION

July 25, 2006

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

Absent: Michael Autuori
Patrick Walsh

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

At 7:40 p.m., Chairman Mucchetti called the meeting to order.

Note: Richard Baldelli left the meeting following the conclusion of the workshop session with Glenn Chalder.

*Dr. Gelfman left at 9:24 p.m., after the workshop session, and was not present for action on the adoption of minutes or for the Executive Session.

PENDING ITEMS

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

Mr. Chalder opened the discussion for chapters 4, 5 and 6 of the proposed new regulations, distributed earlier to the Commission. Chapter 4 pertains to "Other Housing Zones & Uses," Chapter 5 is "Business Zones & Uses," and Chapter 6 deals with "Special Zones" (Floodplain Overlay Zone and Aquifers).

The Commission and staff reviewed the sections with Mr. Chalder page by page, asking questions and offering changes and corrections. Of note are the following:

The Planner asked that the newly adopted bulk regulations for the Conservation Cluster be added to the section under "Planned Residential Development" on page 53. This would include reference to 18% lot coverage permitted, and 30% Floor Area Ratio or 4,000 square feet, whichever is less.

Mrs. Willis asked that the “Open Space Standards” for PRDs include a requirement to consider “the availability for safe pedestrian access,” and this language was added.

Under the section for multi-family (MFDD), the Commission agreed that MFDD developments did not need to be located on State highways.

The Planner asked that provision for developments for 62 and older persons be added to the “Complementary Housing District,” in accordance with the federal Fair Housing Act. The reference will be added.

There was some general discussion about the label “Complementary” Housing. The consultant offered to work with the Planner and the Zoning Enforcement Officer to come up with an alternate title for this section.

Under “Business Zones & Uses,” it was agreed that all applications should be reviewed by “an architectural review board designated by the Commission,” rather than specifically referencing the current AAC. The Planner explained that the Commission may want to appoint a separate review board for the Village District, to include a representative from the Historical Society, the Design Council, or others. Alternatively, the language would still permit the Commission to designate the current AAC as the review board for the Village District, if it chose to do so.

It was agreed that “golf clubs and other private recreational uses” could be eliminated as a permitted use in the business zones, since the uses are covered under other defined uses in the list.

The Commission spent some time discussing the inclusion (or not) of automotive uses in the B-2 zone (especially gasoline stations and car dealerships). It was agreed that these are essentially “retail” uses, and the zone does not permit retail as a permitted use (retail is limited to the B-1 zone). Most gasoline stations request expansion to include mini-markets and food items, and this expands the retail sales in the zone – the Commission cannot prohibit the sale of one item (food) when it permits the sale of other items (gasoline, cans of oil, etc.). It was finally decided to label the uses as “text proposed to be deleted” in the draft that will be circulated for public comment. The Commission consensus is to eliminate the use, but to point out to the public that this is being proposed.

The requirement for 20,000 square foot minimum lot size for special permit uses in the business zones was eliminated, and the minimum lot size, regardless of whether it is a special permit or not, will be 10,000 square feet.

The Commission does not like the term “eleemosynary” to describe charitable and/or philanthropic uses, and the term will be changed. The Planner pointed out that the term, although difficult to pronounce and not widely understood, is a common term in zoning definitions.

The draft proposes to eliminate the CMDD (Corporate Medical Development District) as a separate zone, and to include “medical offices” as a permitted use on lots of 25 acres with access on two state highways.

The Design Professional District will be eliminated. (There was no discussion as to how to rezone the remaining DPD-zoned property, which encompasses a small area north of the intersection of Route 35 (Danbury Road) and Farmingville/Copps Hill Roads.)

There was very little comment or change suggested for the Floodplain Overlay and Aquifer zone sections. The Planner and the consultant will discuss the proposed aquifer regulations in reference to new requirements under the state law.

Lastly, the Commission discussed the proposed new section called “Planned Development District.” This section was offered by the consultant, for consideration by the Commission, as a means to allow a narrowly defined, specific type of development based on special circumstances for particular properties, with a plan specifically tailored for that property. It has been determined by the Connecticut courts to be permitted under a case pertaining to a development in New Haven (the “Campion” case), and would not be “spot zoning” when handled in the manner proposed in the draft regulation. Since it is a zone change, the Commission has complete discretion as to whether to accept a proposed development under this section. By consensus, the Commission embraced the idea and would like to include the new section in the proposed regulations.

Consultant Glenn Chalder proposes to meet once more with staff and then will prepare a draft of the entire proposed regulations for circulation to the general public later this summer. A Public Information Meeting (not a public hearing) is suggested for September 26th, at which time the consultant will present the draft and explain the work done so far. Public comment will be solicited on the draft, before finalizing a copy for public hearing later in the year.

Mr. Chalder emphasized that the zoning map has to be prepared in conjunction with the new regulations, and both need to be adopted at the same time. There will be several changes required on the zoning map, as per the discussions and proposals to eliminate or re-name certain zones.

NEW ITEMS

Note: Chairman Mucchetti asked that this item be handled at the end of the agenda, when the Director of Planning would leave the meeting. The Commission agreed, and other items on the agenda were discussed first.

2. ***EXECUTIVE SESSION** - Personnel review – Director of Planning

(Note: This item was handled after the close of the regular meeting session, and the Planner left prior to the Executive Session. Chairman Mucchetti provided the information for the minutes, for this item.)

At 9:35 p.m., **Chairman Mucchetti** opened the Executive Session to discuss personnel. The session was subsequently closed at 9:40 p.m. The Chairman reported that there were no actions taken and no votes cast during the Executive Session.

COMMISSION WALKS

Chairman Mucchetti pointed out two walks scheduled for September 10, 2006, including item **#2006-073-SP: Special Permit for 900 Ridgebury Road/Shadow Lake Road, Boehringer Ingelheim**, and item **#2006-074-SP: Special Permit for 27 Catoonah Street**.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

- **Chairman Mucchetti** noted the memo from the Planner regarding a proposed amendment to the zoning regulations to address the need for Community Sign Boards. She explained that the draft of the regulation followed her meeting with the Planner, and the president and the executive director for the Chamber of Commerce. The Commission should study the proposed regulation and be prepared to discuss it in early September.
- **The Planner** explained the memo about “First Floor Retail” and attached regulations for the Town of New Canaan, pointing out that the Chamber had also requested the Commission to re-visit the idea of limiting offices on the first floors of Main Street properties, in favor of promoting retail use. The Commission is encouraged to study New Canaan’s regulations as an example, and be prepared to discuss the matter in the fall.

MINUTES

Note: Dr. Gelfman was not present for the vote on the minutes.

Mr. Katz motioned to approve the minutes of **July 5, 2006**, seconded by Mrs. Willis. Mrs. Willis made a minor correction on page 8 for item #3, paragraph 5, adding the words, “on an area that isn’t and won’t be paved” to the end of the last sentence. Chairman Mucchetti asked for a re-working of the minutes page 11, for item #6, to eliminate the quotes and to summarize the discussion. The amended minutes were adopted by a vote of 6-0.

Mr. Katz motioned to approve the minutes of **July 11, 2006**, seconded by Mr. Slavin. Mrs. Willis and Chairman Mucchetti offered several small corrections, and the minutes were adopted by a vote of 6-0.

Mr. Katz motioned to approve the minutes of **July 18, 2006**, seconded by Mr. Fossi. Chairman Mucchetti offered some minor corrections, and the minutes were adopted by a vote of 6-0.

Hearing no further discussion, the Chairman adjourned the regular meeting at 9:34 p.m. and asked the Commission to enter into Executive Session for the purpose of discussing the personnel review for the Director of Planning. The Planner left the meeting prior to the Executive Session, and Chairman Mucchetti provided the results of that session, for the minutes. As noted above, the Executive Session ended at 9:45 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning