

APPROVED/REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

These minutes are a general summary of the meeting and are not a verbatim transcription.

February 27, 2018

Present: Robert Cascella
Joseph Dowdell
George Hanlon
John Katz
Charles Robbins
Mark Zeck
Rebecca Mucchetti, Chair
Joseph Fossi, Vice Chair

Absent: Tim Dunphy

Also Present: Beth Peyser, Inland Wetlands Agent
Richard Baldelli, Director of Planning and Zoning
Adam Schnell, Assistant Planner
Lise Read, Recording Secretary

There were no Inland Wetlands Board or Planning and Zoning Commission Public Hearings held prior to the meeting.

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

PENDING ITEMS

There were no pending items.

NEW ITEMS

1. Board Discussion on Topic Areas

- **Riparian Buffer Zone**
Agent Peyser reviewed her memorandum dated 2/27/18 and the email dated 2/27/18 from Ms. Darcy Winthers, CT DEEP. She noted the opinion given by Ms. Winthers which stated that the IWB could suggest and encourage an applicant to create a riparian buffer but as a regulation is not consistent with the CT Inland Wetlands and Watercourses Act. With this in mind, Agent Peyser noted that a riparian buffer can have a valuable environmental function and can be an important part of the ecosystem. Agent Peyser recommended her proposed language be incorporated into the regulations as a definition. She further recommended approaching each application on a case-by-case basis, and that while the IWB may not regulate, it may recommend and advise that riparian buffers be incorporated into appropriate applications.

The Board agreed and discussion ensued. There was a lengthy discussion regarding koi ponds with the Board ultimately deciding not to include or exclude

koi ponds. The Board then reviewed the current definition of a watercourse from the IWWR and reviewed the proposed definition for a riparian buffer zone proposed by Agent Peyser.

Commission consensus was to approve the proposed wording by Agent Peyser and for Agent Peyser to craft a regulation.

- Definition of Clear Cutting in Section 2.2 of the Inland Wetlands and Watercourses Regulations and defining Section 4.5 Special Provisions: Upland Review Area Boundaries

Section 2.2 – Definitions

After a brief discussion, Commission consensus was to go forward with the following language:

Clear Cutting means the removal of 50% of all trees having a diameter of two (2) or more inches and measured at a height of four (4) feet from the ground surface.

Section 4.5 – Special Provision – Upland Review Area Boundaries

After a brief discussion, Commission consensus was to go forward with the following:

(k) Clear cutting and/or grubbing as defined in Section 2.2 when a stand-alone activity 100'.....100'

- Wetlands Banking

Director Baldelli noted his emails with Ms. Darcy Winther, CT DEEP dated 2/7/18 to where she stated that she was not a fan of wetlands banking, that it is not done in CT and any wetlands mitigation should be done on the same property.

Commission consensus was that wetlands banking would not be a viable alternative.

2. New Issues for Discussion

There were no new issues for discussion.

BOARD WALKS

There were no Board walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

1. 20 letters sent to the Charter Revision Commission regarding separating the P&Z Commission and IW Board. Chair Mucchetti noted that due to the tone of a particular letter, she forwarded it to Police Chief Roche.

PUBLIC HEARINGS

There were no Public Hearings scheduled.

Hearing no further discussion, the Chairman adjourned the meeting at 8:45 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

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February 27, 2018

Present: Robert Cascella
Joseph Dowdell
George Hanlon
John Katz
Charles Robbins
Mark Zeck
Rebecca Mucchetti, Chair
Joseph Fossi, Vice Chair

Absent: Tim Dunphy

Also Present: Richard Baldelli, Director of Planning and Zoning
Adam Schnell, Assistant Planner
Lise Read, Recording Secretary

There were no Inland Wetlands Board or Planning and Zoning Commission Public Hearings held prior to the Inland Wetlands Board Meeting.

At 8:45 PM Chairman Mucchetti called the meeting to order.

PENDING ITEMS

There were no pending items.

NEW ITEMS

1. Commission Discussion of Topic Areas

- Non-Retail Showroom

Director Baldelli explained his proposed wording for adding non-retail showrooms to the B2 Zone.

Commission consensus was to go forward with the wording under “Business” Related Terms as amended as follows: Non-Retail Showroom is amended to Non-Direct Retail Showroom. Further, Commission consensus was to approve the wording under “Business” Related Terms as amended as follows: Showroom – the word “necessarily” is eliminated.

- Residential Special Permit Uses

The Commission reviewed Director Baldelli’s list of Special Permit uses in a Residential Zone. Noted was that most special permit uses contain some form of commercial activity and that the uses are only permitted by Special Permit to

make sure that the use is in harmony with the neighborhood. Also reviewed was the letter from Mr. Jeffrey Hansen and noted that should any changes be made to the Special Permit uses list, the existing uses would become legally non-conforming. Any changes by the owners would then need to go through the ZBA. The Commission does not favor this idea. Further, requiring long-term financial viability business plans is outside the authority of the Commission and the matter of organization ownership and management is already a matter of public record. The PZC discussed the issue of private clubs vs non-profit clubs and determined that the use and activity was appropriate for residential zone. Whether they were for profit or non-profit was immaterial.

Commission consensus was that the Residential Special Permit Uses will remain as is.

2. New issues for discussion.

Mr. Robbins asked if a Commissioner wanted to be involved in a development project in Town, would he need to recuse himself should that project come before the Commission.

Commission consensus was the Commissioner had every right to be involved in anything that he/she found of interest to them but per Counsel, any hint of a conflict of interest, the Commissioner must recuse.

Mr. Robbins then questioned the mandate of the Commission. He stated that they are very good at zoning but planning seemed to be reactive verses proactive.

Commission consensus was that any topic can be brought forth for discussion at anytime and that the POCD is currently up for renewal. Noted was that planning is triggered by events coming not what was in the past.

Mr. Cascella, due to time constraints, offered the following for discussion at the end of March working meeting:

- B1 permitted use of “food retail” to be included in the B2 zone. This would include ice cream shops, donut shops, etc.
- B2 uses should include manufacturing and fabrication of certain goods such as what was just approved in the Non-Direct Retail Showroom use.
- B3 zone.

COMMISSION WALKS

March 4, 2018:

- **#2018-009-SP:** Special Permit Application, **153 West Mountain Road,**
Owner/Applicant: 153 West Mountain Road, LLC.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

1. 3 pieces of correspondence regarding Silver Spring Country Club paddle tennis courts.
2. Chair Mucchetti's letter dated 2/26/18 to the Charter Revision Commission on behalf of the P&Z Commission regarding affordable housing.
3. Replacement Zoning Regulations revised through 3/2/18.

PUBLIC HEARINGS

March 20, 2018

- **#2018-009-SP:** Special Permit Application. 153 West Mountain Road. 153 West Mountain LLC.

April 03, 2018

- **(Continued)#2017-086-REV(SP):** Revision to Special Permit. 439 Silver Spring Road. Silver Spring Country Club.

Hearing no further discussion, the Chairman adjourned the meeting at 10:04 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary