

APPROVED / REVISED  
MINUTES  
SPECIAL MEETING  
PLANNING AND ZONING COMMISSION

March 28, 2006

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

Absent: Rebecca Mucchetti, Chairman  
Michael Autuori

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

At 7:34, Vice Chairman Katz called the meeting to order.

**PENDING ITEMS**

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

Consultant Glenn Chalder noted that changes had been made to parts of Sec. 7 of the proposed new regulations, for Excavation & Grading, following the last meeting on February 28<sup>th</sup>. The Commission discussed the remainder of Section 7 (“Basic Standards”), including excavation and grading and continuing with erosion and sedimentation control, driveways, access management, sidewalks, utilities, and exterior lighting.

Section 8 (“Special Provisions”) was discussed next, with lengthy debate on the section for dealing with nonconforming uses and structures. The Commission asked the Planner and the ZEO to consult with counsel on the legality of what was proposed before finalizing the draft. The Commission had little comment about the proposed section on telecommunication towers and antennas. The final part of Section 8 deals with Architectural Review and proposed design review standards for the Village District. Architectural review is desired for all exterior commercial renovations; this section should be forwarded to the current AAC members for input, and for emphasis on the need to have an active, interested Architectural Advisory Commission, with a good attendance record and participation, in order to implement the regulations.

The final section for review (“Administration”), prior to preparing the draft for public comment and prior to a more formal “public hearing,” will be scheduled for the work session in April.

2. **#2005-106-PR-SP:** Laurelwood Phase III (a.k.a. “Regency at Ridgefield”, Toll Brothers) 73-unit age-restricted townhouses at **638 Danbury Road**, technical review of revised plans. *For discussion c/o PD.*

Vice Chairman Katz asked the Planner to review the status of technical review of the Toll Brothers plans for Regency at Ridgefield. Ms. Brosius explained that the plans are now in compliance with the requirements of the conditions in the resolution of approval, and the full set of plans were to be delivered to the P&Z Office on 3/29/06. The Planner recommends that the Commission acknowledge receipt of the plans, and the completed review by the Commission consultant, Terri Hahn of L.A.D.A. Mr. Katz asked for a consensus of the Commission to accept the plans, and all were in agreement.

The Planner then asked the Commission to consider the need to retain a consultant for inspection of the erosion and sedimentation control measures throughout the duration of the construction. The developer has submitted three names of their own, and the Planner has solicited quotes from L.A.D.A. and Land-Tech Consultants, Inc. LADA and Land-Tech came in with identical quotes at \$375 per inspection visit. After some discussion, the Commission agreed that it would make sense to hire LADA to do the on-going E&S inspections and oversight, since that firm is familiar with the plans. The phasing of construction will be complex and diligent supervision will be required.

Ms. Willis motioned, seconded by Mr. Slavin, to retain the services of LADA, LLC as the erosion and sedimentation control specialist for oversight of the Toll Brothers project. The motion passed, 6-0-1, with Mr. Fossi abstained.

Mrs. Willis asked the Planner about the monitoring of sewage effluent for the project, because of known problems with the existing assisted living facility and the nursing home on the adjoining sites. It is known that unused medicines are being deposited into the sewers, and she feels there is a need to monitor and test the effluent from the sewage treatment plant to determine pollutants in the waters that will eventually end up in the Norwalk River. It was agreed that the Planner should write a memo of concern on behalf of the Commission, addressed to the WPCA, for their consideration.

3. **#2006-023-A:** Amendment to the B-1, B-2, B-3 and CBD zones. *Reschedule public hearing date.*

Vice Chairman Katz noted the Planner’s distribution of an alternative, proposed amendment, which included a bonus density for residential units in the B-zones, provided that affordable units are offered, or the project is age-restricted. The Planner offered this alternative for consideration by the Commission, and also noted that it was

necessary to re-schedule the public hearing date to permit time for the amendment to be referred to the regional planning agency (HVCEO).

There was some discussion about how the amendment would effectively reduce the number of residential units permitted on a B-zone property, and how the density would then be increased under the density option. The bonus is an incentive for the developer to produce housing that would be in the Town's best interest.

Mr. Walsh stated that affordable units would also be desirable in the age-restricted development. A pro-active amendment to provide affordable housing units would show that the Town is seeking to meet its affordable housing needs.

Mr. Katz pointed out that the Commission could not make the amendment more restrictive than what is proposed at the public hearing without creating the need for additional public hearings. The Planner suggested that the Commission leave the amendment as originally proposed, and the addition of bonus density for affordable or age-restricted units could be introduced as an option during the public hearing, where the issue could be properly debated. The Commission agreed with this approach.

Mr. Fossi motioned, seconded by Mr. Walsh, to re-schedule the public hearing on the amendment to May 2, 2006. The motion passed, 7-0.

Hearing no further discussion, the Vice Chairmen adjourned the Special Meeting at 10:15 p.m.

Respectfully submitted,

Betty Brosius  
Director of Planning