

PLANNING & ZONING COMMISSION MINUTES

TUESDAY, August 25, 2009

REGULAR MEMBERS PRESENT:

REGULAR MEMBERS ABSENT:

Mr. Papp, Chairman
Mrs. Grzelecki, Secretary
Mr. Goodwin
Mr. Hunziker
Mr. Rothballer
Mr. Scannell
Mr. Turner

Mr. Ward
Mr. Wendell

ALTERNATE MEMBERS PRESENT:

ALTERNATE MEMBERS ABSENT:

Ms. Boyd
Ms. DeLuca

Mr. Redman

Also in Attendance:

Steve Kleppin, Town Planner/Senior Enforcement Officer

REGULAR MEETING

Chairman Papp called the Regular Meeting to order at 7:02 p.m.

- 1. Discussion concerning proposed changes to determination of building heights and average grade, Sections 2.2, 3.5.F, and 8.4.A.4. (Continued from July 28, 2009 meeting).**

This item was not discussed and was continued to the September 29, 2009 meeting.

PUBLIC HEARING

Chairman Papp opened the Public Hearing at 7:06 p.m. Ms. Boyd and Ms. DeLuca were seated for Messrs. Ward and Wendell.

LEGAL ADVERTISEMENT

A Legal Notice was also published in the New Canaan News Review
NEW CANAAN ADVERTISER, NEW CANAAN, CONN., THURSDAY, AUGUST 13, 2009 9A

TOWN OF
NEW CANAAN
PLANNING & ZONING
COMMISSION
Notice is hereby given
that the Planning and Zoning
Commission will hold a Public
Hearing on Tuesday, August
25, 2009 at 7:00 p.m. in the
Auditorium of the Town Hall
to hear and decide applications
as follows:
1. Upon application of Rob
Frangione, P.E., Frangione
Engineering, Authorized
Agent, for James J. & Dina M.
Connelly, owners, for a Special
Permit of Section 6.4.G.2
to allow soil disturbance of
approximately 38,300 square

feet and associated drainage
improvements, for property at
291 Laurel Road in the Two
Acre Residence Zone (Map
439 Block 05 Lot 59).
2. Upon application of
Edward Mellick, Mellick
& Sexton, P.C., Authorized
Agent, for Johan and Kristen
Eveland, owners, for a Special
Permit of Section 3.4.C.3 to
allow an existing 1300 square
foot accessory structure to be
used as a guest house or accessory
dwelling unit, for property
at 81 Cross Ridge Road in
the Four Acre Residence Zone
(Map 41 Block 104 Lot 3).
3. Upon application of Town
of New Canaan for a Special

Permit of Section 5.1.L1 to
add three new light towers
and relocate one light tower
on the water tower turf field
at Waveny Park, for property
in the Waveny Zone at 677
South Avenue (Map 30 Block
51 Lot 112).
HANDICAP ACCESS
DURING MEETING:
Please notify the Planning
& Zoning office in advance
if wheelchair accessibility is
required.
Dated: August 7, 2009
New Canaan, Connecticut
Jean N. Grzelecki
Secretary
8-13
8-20

PUBLIC HEARING

- 2. James J. & Dina M. Connelly, owners, 291 Laurel Road.**

Upon application of Rob Frangione, P.E., Frangione Engineering, Authorized Agent, for James J. & Dina M. Connelly, owners, for a Special Permit of Section 6.4.G.2 to allow soil disturbance of approximately 38,300 square feet and associated drainage

improvements, for property at 291 Laurel Road in the Two Acre Residence Zone (Map 439 Block 05 Lot 59).

The public hearing on this matter was not opened and will be heard at the September 29, 2009 meeting.

3. Johan and Kristen Eveland, owners, 81 Cross Ridge Road

Upon application of Edward Mellick, Mellick & Sexton, P.C., Authorized Agent, for Johan and Kristen Eveland, owners, for a Special Permit of Section 3.4.C.3 to allow an existing 1300 square foot accessory structure to be used as a guest house or accessory dwelling unit, for property at 81 Cross Ridge Road in the Four Acre Residence Zone (Map 41 Block 104 Lot 3).

Edward Mellick, Mellick and Sexton, P.C. presented the application and explained that the proposal was to renovate the interior of the pool house and add a porch to the exterior. This is a permitted use and there were no setback, coverage, height or wetland issues. The dwelling complies with current health codes and there are no septic issues. A letter in opposition to the application was submitted by Mr. and Mrs. Sherwood Schaub, 119 Cross Ridge Road.

The public hearing on this matter was closed.

4. Town of New Canaan, Waveny Park, 677 South Avenue, Light Towers

Upon application of Town of New Canaan for a Special Permit of Section 5.1.I.1 to add three new light towers and relocate one light tower on the water tower turf field at Waveny Park, for property in the Waveny Zone at 677 South Avenue (Map 30 Block 51 Lot 112).

Mr. Benko arrived as the Regular Meeting was adjourning at 7:27 p.m. and the public hearing was re-opened at 7:29 p.m. to hear the application. See "Public Hearing on page 3".

REGULAR MEETING

5. Deliberation and any possible action on a closed public hearing item.

Discussion on Item #3 - Johan and Kristen Eveland, owners, 81 Cross Ridge Road

Upon motion of Mrs. Grzelecki and second of Mr. Turner, the Commission voted 7-2 to approve the application. Mr. Hunziker and Mr. Scannell abstained.

6. Best Cellars at A&P (New Canaan Grocery, LLC, owner), 282 Elm Street (278 and 288 Elm Street.)

Upon Site Plan application of Service Select Signs Inc., Authorized Agent, for Best Cellars at A&P (New Canaan Grocery, LLC, owner), for a Site Plan permit of Section 6.3.D.2 to allow addition of a backer panel to existing sign, for property in the Business A Zone at 282 Elm Street (278 and 288 Elm Street) (Map L Block 16 Lot 86 and 88).

The public hearing on this matter was not opened and will be heard at the September 29, 2009 meeting.

7. Bothwell \$10,000 Bond Release of cash deposit bond #561 – 145 Forest Street

Request from Troy Bailey, Rucci, Burnham, Carta, Carello & Reilly, LLP, for Bothwell property \$10,000 Bond Release of cash deposit bond #561 – 145 Forest Street.

Upon motion of Mr. Hunziker and second of Mrs. Grzelecki the Commission approved the bond release.

8. Sign Task Force Report.

- a. 44 East Avenue, Boxwood Interiors – Recover existing six awnings.
- b. 48 Elm Street, Mason - Two signs, one on South Avenue and one on Elm Street,

Upon motion of Mrs. Grzelecki and second of Ms. DeLuca, the Commission approved items “a” and “b”.

9. Downtown Subcommittee Report.

Mr. Turner gave a brief update on the status of the Design Manual.

10. Administrative Actions or other matters as may properly come before the Commission (Town Planner).

- a. Tuesday, October 13, 2009 NEMO “Open Space Planning” Workshop.

11. Approve minutes of July 29, 2009 Meeting.

Upon motion of Mr. Hunziker and second of Mr. Goodwin, the Commission voted to approve the July 28, 2009 minutes with modifications.

PUBLIC HEARING

4. Town of New Canaan, Waveny Park, 677 South Avenue, Light Towers

Upon application of Town of New Canaan for a Special Permit of Section 5.1.I.1 to add three new light towers and relocate one light tower on the water tower turf field at Waveny Park, for property in the Waveny Zone at 677 South Avenue (Map 30 Block 51 Lot 112).

Mr. Benko arrived as the Regular Meeting was adjourning at 7:27 p.m. and the public hearing was re-opened at 7:29 p.m. to hear the application.

Mr. Benko presented the application and explained that three light towers not exceeding 70 feet in height will be erected on the water tower turf field. There will be a total of 38 fixtures on the turf field itself and 10 fixtures on the grass field. Funds to pay for the project have been raised by various youth groups who will benefit from the lighting, including football, lacrosse and soccer. Musco Lighting will do the project, which is expected to take three days to complete. The project has been approved by the Park and Recreation Commission, Board of Selectmen and Town Council. Lights will be on no later than 9:00 p.m. during lacrosse in the fall.

The public hearing on this matter was closed.

REGULAR MEETING

Discussion on Item #4 - Town of New Canaan, Waveny Park, 677 South Avenue, Light Towers

Upon motion of Mr. Rothballer and second of Mr. Hunziker, the Commission voted unanimously to approve the application.

13. Adjournment.

Meeting was adjourned at 7:42 p.m.

Jean Grzelecki, Secretary

LEGAL ADVERTISEMENT

A Legal Notice was also published in the New Canaan News Review
NEW CANAAN ADVERTISER, NEW CANAAN, CONN., THURSDAY, SEPTEMBER 3, 2009 7A

TOWN OF
NEW CANAAN
PLANNING & ZONING
COMMISSION
Notice is hereby given
that the Planning and Zoning
Commission at a regular meeting
held on August 25, 2009
duly adopted the following
resolutions. Approved Special
Permit Applications become
effective upon the filing of a
copy thereof in the office of
the Town Clerk.
1. RESOLVED, that
the application of Edward
Mellick, Mellick & Sexton,
P.C., Authorized Agent, for

Johan and Kristen Eveland,
owners, for a Special Permit
of Section 3.4.C.3 to allow
an existing 1300 square foot
accessory structure to be used
as a guest house or accessory
dwelling unit, for property at
81 Cross Ridge Road in the
Four Acre Residence Zone
(Map 41 Block 104 Lot 3).is
approved.
2. RESOLVED, that the
application of Town of New
Canaan for a Special Permit
of Section 5.1.I.1 to add
three new light towers and
relocate one light tower on

the water tower turf field at
Waveny Park, for property in
the Waveny Zone at 677 South
Avenue (Map 30 Block 51 Lot
112) is approved.
3. RESOLVED, that the
request from Troy Bailey,
Rucci, Burnham, Carta,
Carello & Reilly, LLP, for
Bothwell property \$10,000
Bond Release of cash deposit
bond #561 - 145 Forest Street
is approved.
Jean N. Grzelecki
Secretary
Dated August 28, 2009
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