

PLANNING & ZONING COMMISSION MINUTES

TUESDAY, APRIL 28, 2009

REGULAR MEMBERS PRESENT: REGULAR MEMBERS ABSENT:

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

Mr. Scannell

ALTERNATE MEMBERS PRESENT: ALTERNATE MEMBERS ABSENT:

Ms. Boyd
VACANCY

Mr. Redman

Also in Attendance:

Steve Kleppin, Town Planner/Senior Enforcement Officer
Christopher Jarboe, Town Attorney
Jeb Walker, First Selectman
Robert Mallozzi, Selectman

REGULAR MEETING

Chairman Papp called the Regular Meeting to order at 7:03 p.m. in order to discuss Item 1.

1. Discussion with Town Attorney Chris Jarboe on proposed changes to Section 8.2.B.4, Special Permit Criteria.

Commission members discussed proposed changes to the draft special permit regulations. Mr. Goodwin had initiated the revisions, and also had input from Mr. Scannell and Mr. Kleppin. Further revisions will be applied and the next draft presented at the next Commission meeting.

Continued to the May 19, 2009 meeting.

Mr. Jarboe requested that Item 11b, "Request of Chris Hussey", be taken out of order and if the Commission had questions with regard to this request he could answer them while present. After brief discussion, the Commission determined that as there was no one present or expected to be present for this item and that it would not be discussed at this time.

PUBLIC HEARING

Chairman Papp opened the Public Hearing at 7:39 p.m.

LEGAL ADVERTISEMENT

A Legal Notice was also published in the New Canaan News Review
NEW CANAAN ADVERTISER, NEW CANAAN, CONN., THURSDAY, APRIL 16, 2009 11A

TOWN OF
NEW CANAAN
PLANNING & ZONING
COMMISSION
Notice is hereby given
that the Planning and Zoning
Commission will hold a Public
Hearing on Tuesday, April
28, 2009 at 7:00 p.m. in the
Auditorium of the Town Hall
to hear and decide applications
as follows:
1. Upon application of

James D'Alton Murphy,
Gregory and Adams, P.C.,
Authorized Agent, for BCM
Realty Partnership, owner, for
a Special Permit of Sections
3.5.F.5 and 3.7.E to construct
a single-family residence on a
legally non-conforming lot, for
property at Lot G21 Sunrise
Avenue in the A Residence
Zone (Map K Block 10 Lot
G21).

HANDICAP ACCESS
DURING MEETING:
Please notify the Planning
& Zoning office in advance
if wheelchair accessibility is
required.
Dated: April 9, 2009
New Canaan, Connecticut
Jean N. Grzelecki,
Secretary
4-16
4-23

2. Slivermine 123 LLC, 10 Heather Drive

Upon application of McChord Engineering Associates, Inc., Authorized Agent, for Slivermine 123 LLC, owner, for a Special Permit of Section 6.4.G to allow grading of more than 1,000 cubic yards of filling and soil disturbance of more than 10,000 square feet for property in the Two Acre Residence Zone at 10 Heather Drive (Map 48 Block 109 Lot 202). (Continued from the February 24, 2009 and March 24, 2009 meetings).

The public hearing on this matter was continued to the May 19, 2009 meeting.

3. BCM Realty Partnership, Lot G21 Sunrise Avenue

Upon application of James D'Alton Murphy, Gregory and Adams, P.C., Authorized Agent, for BCM Realty Partnership, owner, for a Special Permit of Sections 3.5.F.5 and 3.7.E to construct a single-family residence on a legally non-conforming lot, for property at Lot G21 Sunrise Avenue in the A Residence Zone (Map K Block 10 Lot G21).

Not opened and to be heard at the May 19, 2009 meeting.

REGULAR MEETING

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

None.

5. Nesreen Jaffre, Applicant, Roger Sherman Inn, 195 Oenoke Ridge

Site Plan Approval application of Nesreen Jaffre, Applicant (Jaffre Real Estate LLC, Owner), Roger Sherman Inn, 195 Oenoke Ridge, for approval of existing sign that does not meet current regulations permitted by Section 6.3.C.3.

Nesreen Jaffre presented the application and stated that she was unaware of the permit requirements. Once made aware, she prepared and submitted a site plan application. The sign in question is of the same dimensions as the former sign, with slightly different lettering design.

Upon motion of Mrs. Grzelecki and second of Mr. Wendell, the Commission voted unanimously to approve the application.

6. Leslie and Sheila Klein, owners, 1016 Oenoke Ridge - Modification of Special Permit

Doug MacMillan, Architect, gave a brief presentation on the modifications of this site plan, which included removal of a greenhouse and garage area and expanded pool and cabana area. The owners would also like to move the building over slightly. The proposed building is smaller than that on the original site plan by approximately 359 square feet.

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

7. New Canaan Housing Authority, 57 Millport Avenue, Modification of Special Permit.

This item was not discussed.

8. Christine Mathews, 258 Greenley Road - five-year extension of time request for 2005 subdivision.

The Commission approved the extension.

9. Sign Task Force Report.

- a. 126 Main Street, Salon 126 – One wall sign.
- b. 64 Main Street, Trailhead Math & Learning Center – One front wall sign.

- c. 31 East Avenue, D.W.R. Consignment Boutique – One front wall sign.

Upon motion of Mrs. Grzelecki and second of Mr. Turner, the Commission approved items “a-c”.

10. Downtown SubCommittee Report.

- a. Proposed Modifications to Zone D.
- b. Proposed Modifications to Definitions in §2.2.
- c. Update on Design Manual.
- d. Date for continuation of Public Hearing.

Mr. Kleppin gave a brief report from the Downtown SubCommittee meeting held prior to the P&Z meeting. He described proposed language changes, several additions and deletions discussed at the SubCommittee meeting. Some of these changes included the definitions of general and medical office, the definition and difference between grocery store and supermarket, and the consideration of senior housing in Business Zone B. The SubCommittee will review the suggestions made, incorporate them and revise as necessary.

Jeb Walker spoke briefly as to the lack of clear understanding of the public as to the goal of the Zone D proposal and suggested that the Commission and the SubCommittee work at clarifying their goals. A “preamble” section will be considered which will simplify the mission of the SubCommittee and clarify the intent of the proposal.

The Downtown SubCommittee had suggested the following for discussion:

- Footprint Limitation – 10,000 SF
- Retail Size Limitation – Should 5,000 SF be applied to all zones or just Business D?
- Removing the increased allowance of medical Use by Special Permit.
- There will be no change in the F.A.R. from the proposed Business B zone.
- Modify the definition of Retail to ensure that it is not competitive of the traditional downtown retail Uses.
- Modify the definition of Supermarket within the Business D zone.
- Removed gas stations as an allowed Use.
- Restaurant must be part of a mixed-Use building and not a stand-alone Use.
- Retirement communities would not be appropriate within the commercial zones.
- Possibly allowing incubator businesses on the second floor.

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

- a. New Canaan CARES Kitchen Tour, annual application - May 14, 2009
- b. Request of Chris Hussey, Chris Hussey Real Estate LLC, that the Planning and Zoning Commission review and update Section 6.3.C.1 relating to the use of For Sale/For Rent signs on residential properties.
- c. 2009 SWRPA Housing Summit, April 14, 2009 meeting.

Item “a” was approved. Item “b” was not discussed.

Mr. Kleppin reported that a series of educational programs sponsored by the University of Connecticut and NEMO (Nonpoint Education for Municipal Officials) would be held at Town Hall during 2009 and 2010. NEMO is a program of the Center for Land Use Education and Research (CLEAR). Commission members can attend six programs addressing issues such as Economic Development and Downtown Development. The first workshop will be held June 9, 2009 at 7:00 p.m. and is open to all Town Boards and Commissions, as well as the public.

12. Approve minutes of March 24, 2009 Regular Meeting minutes.

Upon motion of Mrs. Grzelecki and second of Mr. Goodwin, the Commission unanimously voted to approve the March 24, 2009 Regular Meeting minutes as modified.

Mr. Papp asked that a Commission member volunteer as liaison to the Conservation Commission. Mr. Hunziker volunteered.

Susan Sweitzer, member of the Conservation Commission, will attend the Planning and Zoning Commission meetings as liaison from that Commission.

13. Adjournment.

Meeting was adjourned at 8:45 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, MAY 7, 2009 9C

TOWN OF NEW CANAAN
PLANNING & ZONING
COMMISSION
Notice is hereby given
that the Planning and Zoning
Commission at a regular meeting
held on April 28, 2009
duly adopted the following
resolution. Approved Special

Permit Applications become
effective upon the filing of a
copy thereof in the office of
the Town Clerk.
RESOLVED, that the Site
Plan approval application
of Nesreen Jaffre, Applicant
(Jaffre Real Estate LLC,
Owner), Roger Sherman

Inn, 195 Oenoke Ridge, for
approval of existing sign that
does not meet current regulations
permitted by Section
6.3.C.3 is approved.
Jean N. Grzelecki,
Secretary
Dated May 1, 2009
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