

OFFICE OF THE
FIRST SELECTMAN

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Lynne A. Vanderslice
First Selectwoman

Joshua S. Cole
Second Selectman

Kimberley Healy
Selectwoman

Basam Nabulsi
Selectman

Ross H. Tartell
Selectman

TOWN HALL
238 Danbury Road
Wilton, CT 06897

BOARD OF SELECTMEN REGULAR MEETING
Monday May 2, 2022
Held Electronically

PRESENT: First Selectwoman Lynne Vanderslice, Joshua Cole, Kimberley Healy, Ross Tartell Basam Nabulsi

GUESTS: Michael Wrinn-Director Planning & Land Use Management, CFO Dawn Norton

A. Call to Order

Ms. Vanderslice called the meeting to order at 7:01pm.

B. Public Comment

None.

C. Consent Agenda

Motion made by Mr. Tartell seconded by Mr. Cole and carried 5-0 to approve the Consent Agenda as follows:

- Minutes
 - Board of Selectmen Regular Meeting – April 19, 2022
- Gifts
 - VNA of Ridgefield – Desserts for Drive thru Lunches (Senior Center) - \$400.00

D. Discussion and/or Action

1. Opt Out of State Law for Parking and ADU's – Michael Wrinn

Michael Wrinn reviewed the attached memos related to the Town's ability to opt out of recently enacted legislation related to parking requirements for multi-family residential building and related to accessory dwelling Units (ADU's). The opt out requires approval by both the Planning and Zoning Commission and the Board of Selectmen. The P&Z Commission has voted to opt out. After a detailed review and discussion:

Motion made by Mr. Cole to Opt Out of the Parking Regulations under PA 21-29.
Motion seconded by Ms. Healy and carried 5-0.

Motion made by Ms. Healy to Opt Out of the ADU provisions of PA 21-29. Motion seconded by Mr. Tartell and carried 5-0.

2. POCD Implementation Status

Ms. Vanderslice updated the board as to the status of implementation of the Board's action items under the POCD. Discussion amongst the board.

3. Appointment – Mike Russnok (Deer Committee)

Motion moved by Mr. Tartell seconded by Mr. Cole to appoint Mike Russnok to the Deer Committee of the Conservation Commission.

E. Public Comment

None.

F. Selectmen's Reports

1. First Selectman

- Ms. Vanderslice provided a reminder of the Annual Town Meeting and adjourned vote.
- Ms. Vanderslice recognized a Good Morning Wilton video on the Police Headquarters, featuring Captain Conlan and Captain Cipolla.
- Ms. Vanderslice noted 6 winners of the HRRRA annual billboard contest were from Wilton. Approximately 1300 students from the member towns submitted entries.
- Ms. Vanderslice noted we continue to await passage of House Bill 5167 that would allow for deferral of revaluation.
- Ms. Vanderslice noted the Town will be submitting applications for window replacement at the Yellow house at Ambler and at Town Hall under the State's Neighborhood Assistance Grant program. Under the program, donations for window replacements provides business with a state tax credit equal to 100% of the donation.

2. Selectmen

Ms. Healy

Ms. Healy shared that Minks to Sinks was a success and noted that 150 male and female volunteers participated.

Mr. Tartell

Mr. Tartell noted he attended the ribbon cutting ceremony at the Chipmunk Parking lot for the recently completed section of the NRVV.

Mr. Cole

None.

Mr. Nabulsi

None.

G. Executive Session to Discuss Commission Appointments/Reappointments

Motion made by Ms. Healy seconded by Mr. Cole to go into Executive Session to Discuss Commission Appointments/Reappointments at 7:43pm.

Out of Executive Session and back in Regular Session at 9:21pm.

H. Adjournment

There being no further business, motion to adjourn meeting at 9:21pm. Motion moved by Ms. Healy, seconded by Mr. Tartell and carried 5-0.

Jacqueline Rochester
Recording Secretary
Taken from Video

PLANNING & ZONING
COMMISSION
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TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

MEMORANDUM

April 18, 2022

TO: Wilton Board of Selectman

FROM: Michael E. Wrinn, Town Planner

RE: Parking requirements for multi-family – Opt-Out under Public Act 21-29

CC: R. Tomasetti, Chair, P&Z

Public Act 21-29, which became effective on October 1, 2021, sets the maximum number of parking spaces required on individual dwelling units in a multifamily residence. The Act sets a maximum limit of one parking space for a studio / one bedroom and not more than two parking spaces for each dwelling unit with two or more bedrooms.

The Public Act provides that the Town may opt-out of this law, with approval of both the Planning and Zoning Commission and the Board of Selectman.

The Planning and Zoning Commission has voted to opt-out of this Act and has articulated a number of reasons for that decision in its resolution.

A key reason given was that a change in the parking regulations at this point in time is not warranted based on the amount of ongoing interest and planning for multifamily developments in town. The ability to finish the Wilton Center Master Plan and see the parking recommendations based on actual on the ground study for this unique area are crucial. The decision as to what parking numbers are appropriate for Wilton should be left up to the Commission, based upon local knowledge and input, not a one size fits all regulations.

The following is the resolution to opt-out of the parking requirements under PA 21-29, which was passed unanimously by the Planning and Zoning Commission on Monday, April 11, 2022:

WHEREAS, the Wilton Planning and Zoning Commission (the Commission) held a public hearing to notice its official intent to initiate the process by which a municipality may opt out of the provisions of Section 4 and subdivision (9) of subsection (d) of section 8-2 of the Connecticut General Statutes, regarding the maximum number of required parking spaces for multi-family units.

WHEREAS, the Commission conducted this public hearing electronically on March 28, 2022 to receive comment from the public, and the Commission fully discussed and considered all evidence from this public hearing at its meeting on April 11, 2022,

WHEREAS, the Commission has determined that the proposed parking regulations under this Public Act 21-29 are not appropriate for the Town of Wilton, for the following reasons:

1. The Town is currently engaged in a Wilton Center Area Master Plan, which will be making recommendations for future development and associated parking requirements; it would be premature to change parking regulations until that plan is completed.
2. Wilton Center has no municipal parking, either on street or off street, thereby having correct multifamily parking numbers based on the particular location is critical to the safety and functionality of this unique area
3. That the Commission would like the ability in the future to appropriately change the parking regulations for multifamily, in reaction to any proposed zone change / zoning amendment that would allow multifamily development.
4. In addition to the Wilton Center Area Master Plan, the Commission has a Zoning Regulation rewrite proposed for 2022, which will also be reviewing parking regulations across a larger zoning area. The flexibility to be able to change the parking regulations as a result of that study is also crucial.
5. That the Commission wants to keep the ability to modify its zoning regulations whenever and however they see the need for modifications as appropriate for the town.

NOW THEREFORE BE IT RESOLVED that the Commission takes this action to affirmatively OPT OUT of the provisions of Public Act 21-29 regarding the maximum number of parking spaces required for multifamily units.

BE IT FURTHER RESOLVED that notice of the action be forwarded to the Board of Selectman

Based on this resolution, the Planning and Zoning Commission is asking the Board of Selectman to also take affirmative action to opt-out of PA 21-29, multifamily parking.

In order for the Commission to opt-out of the parking provisions in Public Act 21-29, the following procedure was required:

- A public hearing is held with standard notifications and timelines
- Planning and Zoning Commission affirmatively decides by a 2/3 vote to opt out within 65 days of the close of the public hearing
- State for the record the reasons for its decision
- Publish notice of that decision in a newspaper with substantial circulation in Wilton
- This action must be confirmed by a 2/3 vote of the Board of Selectman in order to complete the process

If the Board of Selectman do not have a 2/3 vote to approve the opt-out, the opt-out fails and the Town must comply with the law as written.

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TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

MEMORANDUM

April 18, 2022

TO: Wilton Board of Selectman

FROM: Michael E. Wrinn, Town Planner

RE: Accessory Dwelling Units – Opt-Out under Public Act 21-29

CC: R. Tomasetti, Chair, P&Z

Public Act 21-29, which became effective on October 1, 2021, standardizes requirements for accessory dwelling units (ADU's) statewide. It provides that a municipality allow ADU's on any lot that contains a single-family dwelling "as of right". The law allows much different standards for ADU's than are currently in place in the existing Wilton Zoning Regulations.

The Commission has a long history in approving ADU's and, most recently as October of 2020, removed the requirement that a detached ADU required a Special Permit approval. This action was taken in order to expedite the approval process and encourage additional ADU's, seeing them as valuable alternate housing types.

Wilton has long allowed integral, attached and detached ADU's, knowing this provides a variety of choice for homeowners wishing to add an additional unit on their property. While they may not count as affordable housing units under the State requirements, they provide a much-needed diversity of housing, both in size and price point.

The Public Act provides that the Town may opt-out of this law, with approval of both the Planning and Zoning Commission and the Board of Selectman.

The Planning and Zoning Commission articulated a number of reasons for its decision to opt-out in its resolution. A key reason given was that any modification of the Accessory Dwelling Unit regulations should be left up to the Commission, based upon local knowledge and input, not a one size fits all regulation. In addition, the new law would allow an ADU on any size property, even if the property did not conform to the zoning requirements, which is at odds with the current local regulation.

The following is the resolution to opt-out of the Accessory Dwelling Unit regulations under PA 21-29, which was passed unanimously by the Planning and Zoning Commission on Monday, April 11, 2022:

***WHEREAS**, the Wilton Planning and Zoning Commission (the Commission) held a public hearing to notice its official intent to initiate the process by which a municipality may opt out of the provisions of Section 6 of section 8-2 of the Connecticut General Statutes, regarding accessory dwelling units (ADU's).*

***WHEREAS**, the Commission conducted this public hearing electronically on March 28, 2022 and April 11, 2022 to receive comment from the public, and the Commission fully discussed and considered all evidence from these public hearings at its meeting on April 11, 2022.*

***WHEREAS**, the Commission has determined that the proposed accessory apartment regulations under this Public Act 21-29 are not appropriate for the Town, for the following reasons:*

- 1. The Commission has a Zoning Regulation rewrite proposed for 2022, which will also be reviewing the ADU's regulations. The flexibility to be able to change the ADU regulations as a result of that study is needed.*
- 2. That the Commission wants to keep local control and have the ability to modify its ADU zoning regulations whenever and however they see the need for modifications as appropriate for the town.*
- 3. That the Commission has been an advocate for ADU's as evidenced by its recent action to remove the requirement for needed a special permit for a detached unit; the Commission is keenly aware of what works for Wilton and will continue to made any needed changes to its local regulation.*

***NOW THEREFORE BE IT RESOLVED** that the Commission takes this action to affirmatively OPT OUT of the provisions of Public Act 21-29 regarding the maximum number of parking spaces required for multifamily units.*

BE IT FURTHER RESOLVED that notice of the action be forwarded to the Board of Selectman

Based on this resolution, the Planning and Zoning Commission is asking the Board of Selectman to also take affirmative action to opt-out of PA 21-29, Accessory Dwelling Units.

In order for the Commission to opt-out of the Accessory Dwelling Unit provisions in Public Act 21-29, the following procedure was required:

- A public hearing is held with standard notifications and timelines
- Planning and Zoning Commission affirmatively decides by a 2/3 vote to opt out within 65 days of the close of the public hearing
- State for the record the reasons for its decision
- Publish notice of that decision in a newspaper with substantial circulation in Wilton
- This action must be confirmed by a 2/3 vote of the Board of Selectman in order to complete the process

If the Board of Selectman do not have a 2/3 vote to approve the opt-out, the opt-out fails and the Town must comply with the law as written.