

PLANNING & ZONING  
COMMISSION  
Telephone (203) 563-0185  
Fax (203) 563-0284



TOWN HALL ANNEX  
238 Danbury Road  
Wilton, Connecticut 06897

MEMORANDUM

October 17, 2022

TO: PLANNING AND ZONING COMMISSION

FROM: Staff, Michael E. Wrinn, Town Planner

RE: CGS 8-24 Municipal Improvements Referral – Water Pollution Control Authority – 19 Cannon Road – Sanitary Sewer Line Extension – Request for a Report

---

The Wilton Water Pollution Control Authority (WPCA) has submitted a request that the Planning and Zoning Commission (“the Commission”) review and issue a report for a sanitary sewer extension from the existing location on Danbury Road to 19 Cannon Road. The extension request was submitted to the WPCA by a potential developer of the parcel.

Canon Road between Danbury Road and the railroad to the east is currently served by only on-site septic systems. The terminus of the existing sanitary sewer is located on the west side of Danbury Road. The proposal is to construct a duplex pump station on # 19 Cannon with a 4’ force main leading to a gravity line across Danbury Road to the existing sanitary sewer, a distance of approximately 300 linear feet.

As per the sewer extension application, the extension would serve a proposed 70-unit multifamily development, with the existing residential structure on the property being demolished. The first step in the process is to determine if the property can be served with sanitary sewer, the subject of this referral.

This is being referred to the Commission under Connecticut General Statute, Section 8-24, Municipal Improvement which reads:

***Sec. 8-24. Municipal improvements.*** *No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, **substantially** improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a*

**report.** *Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the commission pursuant to this section. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefor shall be recorded and transmitted to the legislative body of the municipality. A proposal disapproved by the commission shall be adopted by the municipality or, in the case of disapproval of a proposal by the commission subsequent to final action by a municipality approving an appropriation for the proposal and the method of financing of such appropriation, such final action shall be effective, only after the subsequent approval of the proposal by (A) a two-thirds vote of the town council where one exists, or a majority vote of those present and voting in an annual or special town meeting, or (B) a two-thirds vote of the representative town meeting or city council or the warden and burgesses, as the case may be. The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads.*

The WPCA is a municipal agency, as set forth in the statute. The Commission has 35 days in which to return a report; failure to return a report within that deadline is seen as an approval of the proposal by the P&Z Commission.

The Plan of Conservation and Development (POCD), effective October 1, 2019 has a number of policy statements in regards to sanitary sewer and related development. The Commission should look to the current POCD for guidance on this request, as they are acting in their planning capacity when reviewing an 8-24 Municipal Improvement request. It is noted that an approval was given in 2011 by the WPCA for a 3' force main to serve Cannondale Village, across the tracks but that project was never undertaken. Again, it is important to use the current POCD for review.

CGS 8-24 provides no specific criteria as to what particular information should be reviewed. In addition to the POCD, any additional information submitted by the applicant, Town departments or members of the public should be taken into consideration.

Multiple areas of the POCD directly pertain to the sewer and Cannondale development. Some are listed below:

- Pg. 70, 71 – Strengthen the economic viability of the Cannondale area while protecting its unique design and historical character
- Pg. 88 – Goal 7 – Maintain Safe and Effective Public Utility services and Infrastructure
- Pg. 89 – Existing Utilities Map
- Pg. 91 – Section 7.1 Ensure Water & Sewer Policies Reflect Land Use Goals
- Pg. 95 -Future Land Use Plan – Cannondale
- Pg. 100 – Sewer Service & Avoidance Areas
- Pg. 101 – Sewer and Water Plan

