

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

**WILTON PLANNING & ZONING COMMISSION MINUTES *
OCTOBER 15, 2019 REGULAR MEETING**

PRESENT: Vice Chairman Rick Tomasetti, Secretary Doris Knapp, Commissioners Fanwick, Murphy, Nabulsi, Pagliaro, Rotini, and Shiue

ABSENT: Scott Lawrence (notified intended absence)

ALSO

PRESENT: Bob Nerney, Town Planner; Daphne White, Assistant Town Planner; Lorraine Russo, Recording Secretary; members of the press; and interested residents.

At approximately 7:15 PM, Vice Chairman Rick Tomasetti, acting as Chairman in the absence of Commissioner Lawrence, called the meeting to order.

MOTION was made by Mr. Nabulsi, seconded by Ms. Rotini, and carried unanimously (7-0) to scramble the agenda to hear Communications Item F.1 (Brubeck Trusts and Derry Music Company) prior to Public Hearings. Commissioner Fanwick was not yet present at the meeting.

F. COMMUNICATIONS AND REPORT FROM PLANNER AND/OR COMMISSION MEMBERS

1. Brubeck Trusts and Derry Music Company, Request for modification of a condition of a 1968 resubdivision approval regarding access from Millstone Road, for properties located at 69 and 87 Hickory Hill Road; and approval of a map of reconfigured lot lines, for properties located at 221 Millstone Road, 67, 69, 73, 85 and 87 Hickory Hill Road and Assessor's Map 79, Lot 40 on Millstone Road.

***MINUTES HAVE NOT BEEN REVIEWED BY THIS COMMISSION AND MAY BE SUBJECT TO REVISION IN FUTURE MINUTES. FULL AUDIO RECORDING OF MEETING IS AVAILABLE AT: <https://www.wiltonct.org/node/86/minutes-agendas>**

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Town Counsel Peter Gelderman of Berchem Moses PC discussed the matter, reviewing in detail recent and ongoing court findings/rulings and the property owners' request for a modification to a past condition of subdivision approval. He presented several options available to the Commission to address the matter going forward.

Mr. Fanwick arrived and was seated at approximately 7:19 PM.

Attorney Matt Mason of Gregory and Adams PC briefly reviewed issues raised in J. Casey Healy's letter of October 9, 2019 pertinent to the interests of his clients (The Brubeck Trusts and Derry Music Company).

Mr. Nerney distributed a letter dated October 15, 2019 from Attorney Marjorie Shansky representing the interests of several Environmental Intervenors/abutters to the subject property.

After a brief discussion, the Commission recommended, subject to the applicant's agreement, that the Brubeck Trusts and Derry Music Company file a formal application before the Planning and Zoning Commission.

PUBLIC HEARINGS

- 1. SP#460: Applicant:** The Grumman Hill Montessori Association, Inc. **Application:** To amend SP#191C to allow preschool classes and grades Kindergarten through Eight, reflecting a grade extension from the previously approved "preschool classes and grades Kindergarten through Six"; for property located at 34 Whipple Road

Date of Commission Receipt:	9/9/2019
Initial Public Hearing Opening Date:	10/15/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 11/11/19 unless applicant consents to extension.

The public hearing was called to order at approximately 7:40 PM.

After the legal notice was read and documents referenced into the record, the audience was given an opportunity to speak.

No public comment was offered and the hearing was continued until October 28, 2019 at the request of the applicant.

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2. **REG#19379: Applicant:** MNG Equities, LLC **Application:** To amend Section 29-4.D.4 pertaining to location, density, maximum building height, and affordable housing requirements in connection with Congregate Housing; Section 29-4.D.6 pertaining to location of Assisted Living Facilities; and Section 29-8.B.5 pertaining to Minimum Parking Requirements for Congregate Housing

Date of Commission Receipt:	9/9/2019
Initial Public Hearing Opening Date:	10/15/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 11/11/19 unless applicant consents to extension.

The public hearing was called to order at approximately 7:45 PM.

Attorney J. Casey Healy and Brightview Development Director Steve Marker represented the applicant. Tighe and Bond traffic engineer Craig Yannes and civil engineer Erik Lundquist were also present on behalf of the applicant.

Public comment was received from:
Robert Nordquist, 7 Powder Horn Road;
Jennifer Longmire, 49 Cannon Road;
Mark Froehlich, 44/46 Pimpewaug Road;
Scott Lewis, 44 Old Wagon Road;
Vicky Mavis, 208 Ridgefield Road;
Barbara Geddis-Wooten, 296 Cannon Road;
Joel Jones, 1 Powder Horn Road.

At approximately 9 PM, the hearing was continued until October 28, 2019.

The Commission took a short break and returned at approximately 9:05 PM.

A. REGULAR MEETING – CALL TO ORDER; SEATING OF MEMBERS

B. APPROVAL OF MINUTES

1. September 23, 2019 – Regular Meeting

MOTION was made by Mr. Fanwick, seconded by Mr. Murphy, and carried (8-0) to approve the minutes of September 23, 2019 as drafted.

***MINUTES HAVE NOT BEEN REVIEWED BY THIS COMMISSION AND MAY BE SUBJECT TO REVISION IN FUTURE MINUTES. FULL AUDIO RECORDING OF MEETING IS AVAILABLE AT: <https://www.wiltonct.org/node/86/minutes-agendas>**

C. ACCEPTANCE OF NEW APPLICATIONS

D. SITE DEVELOPMENT PLAN REVIEW

E. PENDING APPLICATIONS

1. **SP#460: Applicant:** The Grumman Hill Montessori Association, Inc. **Application:** To amend SP#191C to allow preschool classes and grades Kindergarten through Eight, reflecting a grade extension from the previously approved “preschool classes and grades Kindergarten through Six”; for property located at 34 Whipple Road
[Application status noted above]

Tabled.

2. **REG#19379: Applicant:** MNG Equities, LLC **Application:** To amend Section 29-4.D.4 pertaining to location, density, maximum building height, and affordable housing units in connection with Congregate Housing; Section 29-4.D.6 pertaining to location of Assisted Living Facilities; and Section 29-8.B.5 pertaining to Minimum Parking Requirements for Congregate Housing *[Application status noted above]*

Tabled.

G. FUTURE AGENDA ITEMS

1. **CHZ#19380: Applicant:** Dominick P. and Marie C. Agostin **Application:** Change of zone from Residential Two-Acre (R-2A) District to Wilton Center (WC) District; for property located at 15 Old Ridgefield Road

Public hearing date not yet scheduled.

H. UPCOMING MEETINGS

1. **Monday, October 28, 2019 – Regular Meeting (Annex, Room A, 7:15 PM)**
2. **Monday, November 11, 2019 – Regular Meeting (Annex, Room A, 7:15 PM)**

I. ADJOURNMENT

MOTION was made by Mr. Fanwick, seconded by Mr. Murphy, and carried unanimously (8-0) to adjourn at 9:15 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary