

**PLANNING AND ZONING COMMISSION
MINUTES
SPECIAL MEETING / GENERAL MEETING / PUBLIC HEARING
JULY 21, 2015**

Place: Room 119, Town Hall

TIME: 7:30 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:
Cameron, Cunningham, DiDonna, Olvany, Sini, Jr., Voigt

ARCHITECTURAL REVIEW BOARD MEMBERS ATTENDING:
Lawrence, Brown, Castell, Gadsden, Geiger, Green, Hughes, Macdonald

STAFF ATTENDING: Ginsberg, Keating

RECORDER: Syat
Channel 79

Chairman Cameron opened the meeting at 7:30 P.M. and thanked the members of the Architectural Review Board (ARB) for attending. She said the purpose of the first part of the meeting was to discuss preliminary and conceptual redevelopment of the Noroton Heights area and of the downtown area with two prospective developers. She said that it would not be a public hearing but that people are welcome to submit comments to the Commission through the Director of Planning, Jeremy Ginsberg, or through the website that has been established for the update of the Town Plan of Conservation and Development. That email on that site is pocd@darienct.gov. She then read the first agenda item:

GENERAL MEETING

Informal discussion regarding the following two items (joint meeting with ARB)

A. Palmer properties, Heights Road (approximately 7:30-8:30pm.)

Attorney Robert Maslan represented the applicant and explained that the Palmer family, which owns the Noroton Heights Shopping Center, wants to redevelop the property in accordance with the new Regulations that have been adopted by the Commission.

Greg Palmer reviewed the history of the site, noting that it was developed in the 1950s as a result of the installation of Interstate 95 highway. That new highway demolished what was then the center of the Noroton Heights business area. Five business owners formed an alliance that relocated the Noroton Heights businesses to the Heights Road area (formerly Glendale Avenue) on the north side of the railroad tracks. They are now proposing to recreate that old feeling of a small community center. They anticipate that the redevelopment will result in the first floor of the buildings being retail uses and restaurants and then offices and/or residential apartments on the upper floor(s). There are 6.14 acres in total controlled by the Palmer family and the Noroton Heights Shopping Center. At this time, they only plan to redevelop the western portion of the holdings. They would have approximately 35,000 square feet of retail and/or restaurant use and up to 80 dwelling units. The re-development of the property will involve the use of a one layer basement parking type structure or structural parking with multi levels. They hope to rebuild a village center and improve the appearance because the area is seen by so many people that pass by on the railroad tracks. Heights Road would be developed with a series of commercial facades and street trees and wider,

PLANNING & ZONING COMMISSION
MINUTES
SPECIAL MEETING / GENERAL MEETING / PUBLIC HEARING
JULY 21, 2015
PAGE 2 OF 5

safer sidewalks. Public spaces would be created in various locations including the covered public space at the intersection of Heights Road and Hollow Tree Ridge Road. They hope to connect the various business uses with pedestrian corridors. Some of the buildings would span over the ground level entrance driveways. They plan to use a mixture of materials for buildings and have a variety of facades including bay windows and awnings to distinguish the various uses and activities in the area.

Attorney Maslan said that the Noroton Heights Redevelopment Zone was adopted in 2010 but has never been utilized or implemented by any property owners. He said that there needs to be some clarification of some confusing language within the Regulations, particularly with respect to a third floor incentive which is permitted except where the Zone is adjacent to a Residential Zone. In this case, the entire business zone is adjacent to a Residential Zone and so the Regulations conflict. He said that there is also some confusion regarding parking setbacks and buffer requirements and the Inclusionary Housing Regulations that may or may not apply.

John Block of Tighe & Bond Consulting Engineers said that the traffic and detailed reports will be prepared once the detailed plan is ready for submission. In response to questions, he said there are no flooding problems on this site. He said the flooding problems exist on properties farther to the east. He said the redevelopment of the property would address water quality standards. He said that they are continuing to do tests to determine if ground water will be encountered during the excavation and construction.

In response to questions, the development team noted that they will propose store access at the Heights Road ground elevation but may have a step or two up from the sidewalk level into the buildings. The Commission members noted that the number of parking spaces and the availability of convenient parking spaces will be important. Mr. Block said that this will be a mixed use development right across from the railroad station so they will determine the required number of spaces. Commission members expressed concerns about traffic impacts and about potential off site impacts to intersections and turning movements. Attorney Maslan noted that another clarification would be of Section 685c1, which does not seem to be applicable due to the steep change in grade between this site and the northerly neighbors.

No action was taken and no decision was made regarding this matter. People were invited to send comments to the Director of Planning or to pocd@darienct.gov.

Chairman Cameron read the following agenda item:

B. Genovese/Baywater Properties, Corbin Drive/Boston Post Road. (approx. 8:30-9:30pm.)

Mr. David Genovese said they propose to replace the old outdated buildings located on the block to the south and west of Corbin Drive and south and east of Boston Post Road and north of the turnpike. Their replacement plan includes public spaces and elimination of much of the on-street parking which requires motorists to back out into the street. It will involve residential units, office uses, retail and restaurant uses and other commercial activity.

Architect Gary Brewer said that part of the plan involves creating a new access street from Corbin Drive into the center of the site and another access street from Boston Post Road into the center of

PLANNING & ZONING COMMISSION
MINUTES
SPECIAL MEETING / GENERAL MEETING / PUBLIC HEARING
JULY 21, 2015
PAGE 3 OF 5

the site. These new access streets would intersect and would allow greater access to the interior portions of the property. They would create underground parking spaces for much of the parking demand. He described the various buildings that range in height from 2 – 3 stories to 3 – 4 stories to 5 and 6 stories of occupied space. He said that there would be underground parking for 800 – 900 vehicles on two levels. As discussion proceeded, there was some indication that the total number of parking spaces would be in the range of 1,200.

Commission members asked whether the new streets providing access into the site would somehow become an alternative main street and the response was that it could be. Mr. Sini indicated that 1020 Boston Post Road is a new building that is fairly large compared to other buildings in the downtown area, but it would be dwarfed by the size and scale of the buildings in this proposal.

Marian Castell, a member of the ARB, spoke as Town Historian and said that the project architect's reference to the old mills is not reflective of the small mills that Darien had. She said that Darien's development was typically little buildings that were pieced together, not a single long façade as is proposed.

There was some discussion about the amount of space to be created and how it would be used. Approximately 100,000 square feet of office would be created, 75,000 square feet of retail and restaurant space would be created and approximately 76 dwelling units would be created. Ms. Cameron asked that the total number of on-site parking spaces required by the development be calculated in accordance with the Regulations. That way the Commission would have the ability to compare what is proposed with what is required. Mr. Genovese agreed to do that. He also said that part of the project would be to create affordable housing in accordance with the Town's Regulations.

No action was taken and no decision was made regarding this matter. Again, there were no public comments to be offered but if anyone wanted to comment they can send comments to the Director of Planning or to pocd@darienct.gov.

After a five minute recess, the meeting was resumed at 10:04 P.M.

Chairman Cameron read the following agenda item:

PUBLIC HEARING

Continuation of the following matter:

By Order dated November 19, 2014 in the matter of *Christopher & Margaret Stefanoni v. The Darien Planning and Zoning Commission* – Docket No.: HHB-CV-11-5015368S (the “Appeal”), and the related case of *Gregory v. Darien Planning and Zoning Commission* Docket No.: CV-13-6023798S Judge Henry Cohn remanded the matter back to the Darien Planning & Zoning Commission for an amendment to the Commission's October 29, 2013 resolution to specify an approved number of units or a range of numbers of units, based on the record. The legal notice for the original application read as follows:

Affordable Housing Application Under CGS 8-30g (#1-2010), Site Plan Application #277, Land Filling & Regrading Application #247, Christopher & Margaret Stefanoni, 57 Hoyt

PLANNING & ZONING COMMISSION
MINUTES
SPECIAL MEETING / GENERAL MEETING / PUBLIC HEARING
JULY 21, 2015
PAGE 4 OF 5

Street. Proposing to construct 16 units of age-restricted housing (30% of which are proposed to be affordable housing under Section 8-30g of the Connecticut General Statutes) in a new building with associated parking and regrading, and to perform related site development activities. The subject property is located on the east side of Hoyt Street approximately 100 feet south of its intersection with Echo Drive, and is shown on Assessor's Map #27 as Lot #168-1, within the R-1/3 zone.
PREVIOUS HEARINGS HELD ON 4/7, 4/21, 5/26, 6/2.

Mr. Olvany and Mr. Sini recused themselves from the matter and therefore departed the meeting.

Ms. Cameron asked if there were any comments from the audience. There were no comments from the neighbors. There were no comments from Mrs. Margaret Stefanoni.

Ms. Cameron said that the Planning & Zoning Commission has received updated traffic accident information and the members have expressed concerns about the traffic and safety issues. She said that the Judge had indicated that the Planning & Zoning Commission could establish a range of acceptable number of housing units. She said that she thinks four to eight units would be acceptable. She is very concerned about the possible need for a by-pass lane if more units are developed. She said that the Commission has learned from the project at the intersection of Leroy Avenue and West Avenue where the eventual buyer of the approved plans, who became the developer, wanted to change the internal layout of the building and adjust the sizes of the units to meet what they anticipated to be market demand. She felt that having a maximum building size, and a range of number of units that could fit within that building, might facilitate that flexibility. She said that she had hoped that information would have been submitted about the economic viability of the project and how it might be impacted by any restriction on the number of units. She said that no such information was offered and none was received.

Mr. Voigt said that he has previously expressed his observation that one dwelling unit is allowed as a matter of right and that if three dwelling units were created, one would have to be affordable. If eight dwelling units were allowed then three of the units would have to be affordable. He said that it is not just the likelihood of a possible dangerous situation with the traffic on Hoyt Street, but there is documented evidence that it is dangerous. Ms. Cameron said that the street now has a speed detector to flash the speed of drivers if they are exceeding the speed limit.

Mr. DiDonna said that he has looked at all this information and thinks that four to six units would be the most that the site could safely accommodate. Mr. Voigt said that if the scale of the building is reduced it would make it easier and safer to meet the Fire Marshal's concerns. Ms. Cameron said there would be many delivery vehicles and visitors entering the site. There needs to be a safe, easy way for drivers to turn around in the site without having to back into Hoyt Street.

Mr. Ginsberg said he will try to draft something for the Commission to discuss next week but said that it would not be in format that would be an adoptable resolution. Commission members understood that an outline of issues would be appropriate. They noted that the Fire Marshal's memorandums regarding ladder access to the building and turning radius of vehicles is important. Even if they cannot vote at their next week's meeting, they would be able to comment on the first draft/outline and then vote at a subsequent meeting.

No Other Business can be considered, since this is a Special Meeting.

PLANNING & ZONING COMMISSION
MINUTES
SPECIAL MEETING / GENERAL MEETING / PUBLIC HEARING
JULY 21, 2015
PAGE 5 OF 5

There being no further business, the following motion was made: That the Planning & Zoning Commission adjourn the meeting. The motion was made by Mr. Voigt, seconded by Mr. DiDonna and unanimously approved. The meeting was adjourned at 10:22 P.M.

Respectfully submitted,

David J. Keating
Planning & Zoning Assistant Director

07.21.2015min