

**PLANNING AND ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014**

Place: Room 119, Town Hall

TIME: 8:00 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:
Cameron, DiDonna, Olvany, Voigt, Sini, Jr. (arrived at 9:15 P.M.)

STAFF ATTENDING: Ginsberg, Keating
RECORDER: Syat
Channel 79

Chairman Cameron opened the meeting at 8 P.M. and read the following agenda item:

PUBLIC HEARING

Special Permit Application #78-B, Noroton Fire Department, 1873 Boston Post Road. Proposal to construct a one and one-half story detached garage/storage building, install landscaping, and perform related site development activities. The subject property is situated on the northeast corner formed by the intersection of Dickinson Road and Boston Post Road and is shown on Assessor's Map #42 as Lot #7, in an R-1/3 (residential) Zone.

Michael Vitti represented the fire department and explained that they are proposing to construct a large storage building on the northeast portion of the property. The storage building will be wide enough for two large vehicles but at this point it will be used for spare Engine #31 and three water craft on trailers. The half story (over the ground level) will be used as storage as well. To accommodate the project and the neighbors they will move the dumpster to the fenced in area (where one of the boats is currently stored). It has applied to and obtained a variance from the Zoning Board of Appeals (ZBA) regarding Building Coverage. Mr. Ginsberg said that the ZBA did struggle with this application and did require the extra planting and landscaping be installed and that the extent of the asphalt parking be pulled back and that the proposed lighting be subdued so that it would not impact the neighbors. Mr. Ginsberg said the ZBA eventually did grant a variance, Calendar #5-2014 subject to conditions and stipulations.

There were no comments from the public regarding the application. The following motion was made: That the Planning & Zoning Commission close the public hearing regarding this matter and will render a decision at a future meeting. The motion was made by Mr. Voigt, seconded by Mr. Olvany and unanimously approved.

At about 8:10 P.M., Chairman Cameron then read the following agenda item:

Land Filling & Regrading Application #321, 23 Arnold Street, LLC, 43 Arrowhead Way. Proposing to fill, regrade and excavate in association with the construction of a new single-family residence and driveway; and perform related site development activities. The subject property is located on the southeast side of Arrowhead Way approximately 10 feet east of its intersection with Winding Lane, and is shown on Assessor's Map #69 as Lot #15 in the R-1 Zone.

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 2 OF 11

Doug DiVesta, Professional Engineer, represented the applicant and explained that this is a 1.1 acre site and that the project involves removing the existing house and constructing a replacement dwelling. Some of the proposed regrading will be within 15 feet of the property lines and therefore Special Permit approval from the Commission is required. He said that they have already obtained approval from the Environmental Protection Commission (EPC) on March 5, 2014. That application is EPC-04-2014. He said that they also needed to obtain a variance from the Zoning Board of Appeals (ZBA) because of the lot width. That variance was granted on March 12, 2014 and is referred to as Calendar 7-2014. Mr. DiVesta referred to the survey map from William W. Seymour Associates that was received by the Commission on February 14, 2014. He submitted a new engineering map dated 3-18-14 that incorporates the conditions and stipulations of the ZBA actions. He said that the drainage system to be installed will require annual inspection and necessary maintenance. Ms. Cameron asked if the inspections will be made twice a year to make sure the drainage system is functioning properly and is maintained and good repair. Mr. DiVesta said that the inspections can be done more frequently and the necessity for the inspection will depend on the severity of the winter weather. In response to a question, Mr. DiVesta said that fill is necessary in the rear of the building to make sure that there is a safe walk out basement. There was also a question regarding the lot width and Mr. DiVesta indicated that he did not know the history of the property but will try to obtain an answer for the Commission. Mr. Ginsberg said that there is also some confusion regarding the labeling of the lot width on a certain map.

In response to questions, Mr. DiVesta said the old house has already has been demolished since the time the application was submitted.

There were no comments from the public regarding the proposed application. The following motion was made: That the Planning & Zoning Commission close the public hearing regarding this matter and will render a decision at a future meeting. The motion was made by Voigt, seconded by Olvany and unanimously approved.

At about 8:20 P.M., Chairman Cameron read the following agenda item:

Business Site Plan #80-C, Patriot Bank, 233 Boston Post Road. Proposing to raze the existing Darien Golf Building and construct a new bank with associated drive-up lanes and parking; and perform related site development activities. The subject property is located on the north side of Boston Post Road approximately 350 feet west of its intersection with Richmond Drive, and is shown on Assessor's Map #13 as Lot #4 in the Service Business East (SB-E) Zone. *DECISION DEADLINE: 5/1/2014, UNLESS EXTENSION OF TIME IS GRANTED BY APPLICANT.*

Mr. Ginsberg noted that this is a Business Site Plan and therefore decision must be rendered by the Commission by May 1, 2014.

Attorney Robert Maslan represented the applicant and submitted a booklet of photographs and a map illustrating the site location. He described the photographs and explained that the golf center, which has been the most recent occupant on the site, has not been in operation for more than a year. He said that they will remove the barb wire from the fence along the rear of the property and noted that a large tree in that area recently has fallen down and needs to be removed. Attorney Maslan said that they have obtained a permit from the Connecticut Department of Transportation (DOT) to create an additional curb cut. The DOT will require that signs indicate "no left turn" be posted at the exit

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 3 OF 11

driveway. The existing driveway on the west portion of the site will be an exit only. The new driveway on the east part of the site will be an entrance and an exit. Mr. DiDonna asked questions about the traffic flow. He wondered if a driver could exit the new east driveway and get onto I-95 Southbound. Attorney Maslan indicated that the DOT did not have any objection to that type of maneuver but they did prohibit a left turn at that site because the Boston Post Road is separated by a landscape island into eastbound and westbound traffic in that vicinity. Mr. DiDonna said that a possibility of motorists cutting through two lanes of west bound traffic in order to access I-95 did not seem safe. Mr. Voigt noted that the Commission has raised concerns about the intersection in this vicinity in the past, but that, to his knowledge, the DOT has refused to address those concerns. Mr. DiDonna said that the proposed new driveway looks like it would make the situation more unsafe.

Holt McChord, Professional Engineer, reviewed the existing conditions map and noted the 25 foot wide buffer at the rear of the property will be maintained adjacent to the residential neighborhood. He said the existing driveway provides access into and egress from the site. It is located on the westerly portion of the property. A proposed new, two way driveway, would be installed on the east portion of the site. He said that the DOT has not required a “right turn only” sign in that location, meaning that people would be able to cut across the westbound lanes of Route 1 (the Boston Post Road) and then turn on to the ramp to allow access to I-95 Southbound or turn left and then proceed easterly (towards Norwalk) on the Boston Post Road. He said that the drainage system design was discussed with the Department of Public Works and have been revised to include the low flow outlet that DPW requires. Mr. McChord said that if the Planning & Zoning Commission mandates signs indicating “right turn only” then they will incorporate that into the design. He said that the DOT required stormwater detention on the site as part of the new development of the property. Mr. Olvany expressed concern about the tree located on the easterly edge of the property and/or the right of way of Route 1 and whether the tree and the sign in that vicinity would restrict visibility of motorists trying to exit the site. Mr. McChord said that the tree will be removed and the sign will be positioned in a manner that does not impact the sight line of motorists trying to exit the site onto Route 1.

Joe Balskus, Professional Engineer from Tighe & Bond, said that he is a licensed traffic consultant. He said that they conducted a traffic study to collect data and noted that this area has egress from and access to the southbound lanes of I-95. He said that they performed traffic counts of the existing site conditions and calculated the proposed traffic based on the proposed use. He said that since 2010 there have been only three accidents reported in this area. One was very close to the site and two others were farther to the east. He said that although the perception is that this is a hazardous area, the number of traffic accidents is very low. He noted that the golf store closed in 2010 or 2011 and so traffic to and from the golf store was not included in any of the existing traffic counts. He said that the new driveway on the easterly portion of the site will allow easier access to the southbound I-95 as well as making it easier for motorists wishing to turn left and proceed north or east on Boston Post Road (Toward Norwalk). He said that the maneuver to go from the new driveway to the I-95 on ramp is considered a right turn, it is not going straight or going left and therefore is not prohibited by DOT’s approval. Mr. Balskus said that the driveway on the westerly portion of the site will be a right turn only driveway because that portion of the Boston Post Road is one-way only.

Mr. Balskus said that during the peak banking hours, only one car trip per minute (60 trips per hour) would be likely to utilize the bank facility. He said that this is not a lot of traffic considering the commercial nature of the area. He said that the road geometry is not bad and limiting the driveway exits to be right turn only is acceptable. He said that the level of service is “B” which indicates slight

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 4 OF 11

delays at peak hours. He said that coming out of the proposed easterly driveway to cut across the two lanes of westbound traffic on Route 1 is actually a right turn (not straight).

Mr. Olvany said that 16 parking spaces are indicated on the Site Plan but he questioned what the requirement is per the Regulations. Mr. Ginsberg said that a bank facility is considered a commercial sales and service facility and therefore the parking requirement is one parking space per every 150 square feet or portion thereof. Mr. Olvany said the parking requirement should be indicated on the Site Plan as part of the Zoning Chart. He also said that the new driveway allows what he would call a straight maneuver in order to turn left and go eastbound on Route 1 or to go straight and then get to the on ramp of I-95 Southbound.

Attorney Maslan said that Patriot Bank would be moving out of its facility at 800 Boston Post Road because the lease is up. One of the reasons they want to move from that site is because it lacks a drive-through teller facility for the patrons. Mr. Olvany questioned the number of on-site parking spaces. Mr. Balskus said that the 16 parking spaces would be satisfactory for the needs of the bank's employees and clients. Attorney Maslan said that the square footage of the bank is approximately 2,046 square feet; therefore 14 parking spaces are required by the Regulations. He said that the use is commercial sales and service that requires external storage or activity and in this case the external storage or activity is lanes of drive-through banking access to be provided for the clients. He said that the external activity is an integral part of the bank business due to customer demand. The lack of drive-through facilities at their current location is part of the reason they are leaving. Attorney Maslan said that if the Planning & Zoning Commission insists they will post both driveways to indicate "right turn only" and not even allow a straight or partial right exit from the new easterly drive.

Rick Tomassetti, Project Architect, explained that the bank branch has approximately 2,000 square feet of floor area and that these clients would not have even considered this site if they were not able to build the drive-through facilities for the customers. He said they met with the Architectural Review Board (ARB) and got their approval for the building design. He said that some walk up customer business is anticipated but it is critical that they have the drive-through facility for customers. Mr. Tomassetti said that they are still working on the signage design for the bank building and they know they need to return to the ARB with the proposed signs. He said that they hope to have one wall sign facing the Boston Post Road, another wall sign facing the parking lot, and a pole sign in the front yard. There will also be directional signs for customers to access the parking area and the drive-through lanes. Mr. Tomassetti said that the lighting around the building will include under canopy lights built into the eaves of the overhangs so that they shine down on to the sidewalk. They will be recessed into the structure. There are also two post lights for the parking area. He said that there will be no safety deposit boxes in this building because there is no basement or second floor.

Attorney Maslan said the screening and landscaping plan has been included in the design submitted to the Commission. They will be cleaning up the existing buffer area and installing supplemental plants in that vicinity to provide more screening for protection of the residential neighbors to the rear.

Michael Galante said that he has been hired on behalf of the Commission to review the traffic flow. He said that he sees the egress from the proposed easterly driveway as a right turn movement even though some motorists would proceed toward the I-95 on ramp and some would take a left hand turn once they reach the traffic light so that they can go east (towards Norwalk) on Route 1. He said that from a traffic perspective, the proposed bank facility poses no problem. He said the traffic volumes

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 5 OF 11

have actually decreased since 2008. This is primarily due to the economy. He said that the estimate of 40 - 60 vehicles at this site during a peak hour is a conservative estimate. He said that approximately 1500 vehicles per hour use the west bound lanes of the Boston Post Road during peak hours. Approximately 25,000 vehicles use both directions of the Boston Post Road per day. He said that the proposed traffic to be generated by the bank is insignificant compared to the volume on the Boston Post Road. Mr. Olvany and Mr. DiDonna expressed a concern that the proposed, new driveway makes it easier for vehicles to cut across two lanes of westbound traffic on the Boston Post Road in order to access I-95 or to try to turn eastbound on the Boston Post Road. Mr. Galante confirmed that it would be easier for motorists to make such a maneuver with the new, proposed driveway. Mr. Galante said that he has made recommendations with respect to traffic signage and adding a "one-way" sign on the median (landscape island) would be appropriate since it would probably be required as part of the DOT's final permit (assuming the Town does grant approval for the project). He said that it would not be appropriate to have the only egress from the site have to travel through the drive-through lanes.

Mr. Galante said that the sight lines are based on a 36 mile per hour traffic movement and 400 feet of sight line is available looking easterly. He said that some of that sight line appears to travel through a neighboring property and therefore not being in the control of the applicant or the DOT. The sight line needs to be open and unobstructed and not have any fences or landscaping that would limit visibility. He said that the sight distance is easily available in that area but how it is measured (whether it is 10 or 15 feet back from the curb or 10 or 15 feet back from the travel lane of westbound traffic), will be up to the DOT. He said that maybe a tree in the area needs to be removed and replaced with a new tree to be planted farther from the travel portion of the road. Mr. McChord said that the tree to the east of the new driveway would be removed and a proposed new tree would be planted back far enough so that it would not affect sight lines of motorists.

Mr. DiDonna asked how the Planning & Zoning Commission will know what the DOT finally decides. Mr. Galante and Mr. McChord indicated that the DOT has granted its preliminary approval but does not issue an actual permit until local action has been taken by the Planning & Zoning Commission. DOT will make sure that there is no obstruction of the sight line visibility in order to ensure safety of motorists and pedestrians. Mr. Balskus said that in this case they measured the sight line 15 feet back from the edge of the travel way and that the travel way is approximately 20 feet wide. Mr. Balskus said that the revised sight line will be greater than 400 feet and no part of it will go over the private property. Mr. Galante concurred that this is feasible and practical. Attorney Maslan said that the gas station located to the east (next door) has a high traffic volume and the only three accidents have been recorded in the vicinity in the study time.

Mr. Sini arrived at 9:15 P.M.

Frank Lombardi of Point O' Woods Road South explained that he is to northwest of the site and has been in that area for 18 years. He is very concerned about security, lighting and noise level to be created by the bank. He said that he has had problems with Splash Car Wash (formerly Exit 13 Car Wash) with their fences, lighting fixtures, noise and lack of security. Mr. Lombardi said that there is a gate in the fence that allows access through the property to the water line that is located on the property to the rear. This had to be installed after there was a leak in the water line in the vicinity. He also said that there is barbwire on the fence but the fence is not impenetrable and does allow people to get through. He said that noise has been a problem with the car wash and he cited an example where he had to call the police at 2:30 in the morning because someone was using a leaf blower at the car wash

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 6 OF 11

site and causing a disturbance. He also said that he does not want direct lighting from the bank or parking area to be facing his house.

Attorney Maslan said all the issues can easily be addressed by the Planning & Zoning Commission as part of conditions of approval. He said that they would be removing the barbwire and would be pleased to install a 6 or 8 foot high solid fence across the rear portion of the property to minimize access and visibility. He said that they are aware of the easement that allows access to the water pipes and they will deal with that issue as well. He said that the easement might no longer be valid.

There being no further comments, the following motion was made: That the Planning & Zoning Commission close the public hearing regarding this matter and will render a decision at a future meeting. The motion was made by Mr. Voigt, seconded by Mr. Olvany and unanimously approved.

At about 9:50 P.M., Chairman Cameron then read the following agenda item:

Coastal Site Plan Review #109-B, Flood Damage Prevention Application #339, Ralph Reynolds, 104 Delafield Island Road. Proposing to install a timber pier, stepped fixed timber pier head, and a boat cradle and perform related site development activities within regulated areas. The subject property is located on the west side of Delafield Island Road approximately 1,560 feet south of its intersection with Raiders Lane, and is shown on Assessor's Map #70 as Lot #40 in the R-1 Zone.

Attorney John Casey of Robinson Cole represented the applicant and explained that the Reynolds family proposes to install a pier facility extending from their residential property and into the waters of Long Island Sound. They have obtained permits and approvals from the Connecticut Department of Energy & Environmental Protection (CT DEEP) and the United States Army Corps of Engineers. They still need a permit from the Town to do work within the Town's jurisdiction. Attorney Casey said that they have provided notices to all the neighbors as required by the Commission.

Ms. Cameron asked about the dock facility across the street on other properties owned by the Reynolds family. Attorney Casey confirmed that the property on the east side of Delafield Island Road is owned by the Reynolds family and a pier facility was built on that site several years ago. In that case, they also received approvals from the Army Corps of Engineers and CT DEEP and the Town. Now the Reynolds wish to have a dock on their property on the west side of Delafield Island Road. He said that the new pier facility has been designed and will be constructed to survive severe storms.

Mr. Voigt said that the application indicates that the pier would enhance public use of the water resources. He asked if the public would be able to use the proposed pier. Attorney Casey said that the pier would be private and would not be available to the public.

Mr. Devon Santa, Professional Engineer, explained that he specializes in waterfront structures. He said that he has reviewed the plans for the structure with the Darien Land Trust, CT DEEP and US Army Corps of Engineers and with the neighbors. The pier structure would be about 80 feet long and extend approximately 40 feet into waters of Long Island Sound beyond Mean High Water. He said that there is no floating dock because they wanted to avoid the tall anchor pilings that are now required by CT DEEP. In this case, they would have a cradle so that any boat anchored in the vicinity would not rest on the mud flats but instead would rest on the cradle. He said that this pier structure has been designed so that it can be inundated in a storm and still survive. He said that the cradle structure is required by

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 7 OF 11

CT DEEP and the Army Corps of Engineers because the water in the vicinity is not deep enough to support a boat at low tide. There was some discussion about the area on the map labeled as a channel. Mr. Santa said that they were required to indicate the lowest areas on the maps and plans but calling this area a channel is a stretch because it is only about six inches wide and six inches deep. He said that the physical limits of the water depth in the cove limit the practical size of the boat that could use this facility. Attorney Casey said that there is technically no limitation on the size of the boat that could use the facility but the practical aspects would limit the size of the boat. He said that they do have approval from CT DEEP and the Army Corps of Engineers to remove by hand, rocks that weight up to 250 pounds that could obstruct access to the facility.

Mr. Ginsberg said that the CT DEEP has responded to the referral. He read the email indicating that permit had been granted by DEEP and that the proposal is not inconsistent with Coastal Area Management policies.

Rowan Sayjack said that the plan has been devised so that the fixed pier structure moves around the Prickly Pear vegetation in the area. He said Prickly Pears are a protected plant and it is clearly marked out on the site and will be protected during the construction process. He said that a permanent path around the Prickly Pear means that the vegetation will be protected in the long run. He said that the proposed dock has a very small footprint and that there is a very small amount of permanent disturbance to accommodate this proposed facility. He said that in ecological terms there are no long term impacts due to the proposed work.

There were no public comments regarding the application. The following motion was made: That the Planning & Zoning Commission close the public hearing regarding this matter and will render a decision at a future meeting. The motion was made by Mr. Olvany, seconded by Mr. Voigt and unanimously approved.

Chairman Cameron read the following agenda item:

Coastal Site Plan Review #298-A, Karen Bonner, 148 Goodwives River Road. Proposing to raze the existing residence and garage, and construct a new single-family residence and pool; and perform related site development activities within a regulated area. The subject property is located on the east side of Goodwives River Road approximately 100 feet north of its intersection with Ring's End Road, and is shown on Assessor's Map #62 as Lot #86 in the R-1 Zone.

Rob Frangione, Professional Engineer, represented the applicant and explained that the property is zoned for single family residence. In this case, they propose to construct a new replacement single family house and have a pool and terrace area in the back yard and have driveway access from Goodwives River Road into the site. He said that stormwater from the impervious surfaces will be collected and directed into a 280 square foot rain garden with an underdrain. He said that the pool patio will be constructed using pervious pavers and that the storm drainage system has been designed to address water quality rather than trying to retain water volume. This is because the site is immediately adjacent to the cove in the Salem Straits neighborhood and the waters of Long Island Sound. Mr. Frangione said that the maintenance plan for the drainage system is to have it checked twice per year and then any necessary maintenance performed at that time. He said that the installation of an underdrain in the rain garden does allow for excess water to flow out of the rain garden by gravity.

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 8 OF 11

Karen Bonner explained that the 3 to 4 foot wide path shown on the plan from the patio area down toward the water will follow the old stone wall down the hill. She said that this design avoids disturbance of a large area and that any area that is disturbed will be planted with new vegetation. She hopes to plant the new vegetation and then after one season see what areas need to be replanted or to have additional plants installed. She said that there is a portion of the property where one can see the remains of an old dock at the bottom of the pathway. She said that the area needs to be cleaned up because it has not been properly maintained in many years. Mr. Frangione said that the contour lines on the submitted plan indicate the one foot contour intervals and therefore the area looks steeper on the plan than it would if it were two foot contour intervals.

Mr. Frangione said that in the vicinity of the pathway they are not planning any filling or regrading, just rebuilding the old 1930s wall. They hope to have a minimal amount of disturbance in the area. It was noted that a split rail fence was shown on the plans - that is the pool safety fence. Mrs. Bonner said that they will need to install a wire mesh on that split rail fence as required by the Building Code. She said that the house has already been demolished and they will proceed with construction as soon as they are able to obtain all the required permits.

There were no comments from the public regarding the application. The following motion was made: That the Planning & Zoning Commission close the public hearing regarding this matter and will render a decision at a future meeting. The motion was made by Mr. Olvany, seconded by Mr. Voigt and unanimously approved.

The General Meeting was opened at 10:05 P.M. Chairman Cameron read the following agenda item:

GENERAL MEETING

Discussion and deliberation ONLY regarding:

Mandatory Referral #1-2014, Board of Education, Darien High School, 80 High School Lane.

Request for a report regarding the installation of synthetic turf on three existing fields, conversion of an existing practice field to a softball stadium, and related site work. *DEADLINE TO ISSUE REPORT: 4/22/2014.*

Mr. Ginsberg noted that the referral and the Land Filling & Regrading application are both on the agenda tonight for discussion. His goal is to have a report and a decision on both in the next week or two. He acknowledged that they are both related. Mr. Sini asked whether the referral should come first tonight. Mr. Ginsberg agreed that this would be best. Mrs. Cameron asked for comments on the referral first. Mr. DiDonna confirmed that the standard for the referral is whether the proposal is consistent with the 2006 Town Plan.

Mr. Olvany noted that a cover letter from Attorney Bruce Hill with associated request (dated March 18, 2014) was submitted as part of the Mandatory Referral request. Mr. Olvany said that two things in the letter jumped out at him. He then read aloud from portions of page 2 of Mr. Hill's letter. Mr. Olvany said that what is being proposed is 100% consistent with the 2006 Town Plan. Mrs. Cameron said that there are two parts that are applicable: 1) "to maximize existing parks and recreation facilities"; and 2) "...expansion of existing fields and courts". It was noted that the recommendation to "continue to use public-private partnerships, where appropriate to provide recreation facilities..." are also included as a

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 9 OF 11

recommendation in the 2006 Town Plan and this is consistent with that. That is also referred to on page 2 of Mr. Hill's letter.

Mr. Sini said that the Demographic section of the Town Plan should also be referenced, as this fills a need for the youth in Town. The goal of this project is to meet the needs of this specific age group. Mrs. Cameron then asked if anyone believes the proposal is inconsistent with the 2006 Town Plan. Mr. DiDonna said that broadly, he sees no issue or problem with the proposal, and the specific application will be addressed separately.

Commission members thus felt that the proposed field modifications were consistent with the Town Plan of Conservation and Development. They directed Mr. Ginsberg to draft a report for discussion and action at a future meeting.

Chairman Cameron read the following agenda item:

Land Filling & Regrading Application #53-D/Amendment of Site Plan, Darien Athletic Foundation, Darien High School, 80 High School Lane. Proposing to convert three existing natural turf fields on the High School campus to artificial turf fields, and convert one natural turf practice field to a softball stadium, all over a three year time period, and perform related site development activities.

Mr. Olvany said his biggest concern is flooding and drainage, and that Mr. Flaherty's comments in reviewing this application, said that this would make the drainage better than existing conditions. Because of the way they are designed, and all the stuff under the turf, water is better controlled. The second part is that the traffic engineer's report in the closing arguments is the spreading out of the population on-site will make circulation of traffic better than existing conditions. If they spread children out to different fields, traffic will flow better. Mr. Olvany said that Liz Mao of 37 Holly Lane submitted a letter for the record in this matter, stating that she has no issues, and supports the proposal, and she is right next to the property. Mrs. Vaughn of Holly Lane had some concerns. Mr. Olvany said that overall, he has no problem with the proposal.

Mr. Voigt said that traffic on-site can sometimes be awful during large events, and the spreading out of traffic will help, and this should not result in an increase in traffic volume. It will result in more spread out traffic. The proposal provides increased flexibility, and this somewhat reminds him of the YMCA application, in that there is a great need to provide a Town resource. He recognized the burdens on the neighbors, but the resource (the high school) cannot be moved. Mrs. Cameron said that there was testimony that sometimes traffic backs up on the site for larger events. Mr. Sini confirmed that for nights at the High School like Parents Night, that could be the case.

Mr. DiDonna said that Mr. Graham said that at the February 11, 2014 hearing that they would be bringing in additional information about the actual turf to be used. He said that DAF gave assurances they would not use markings on the field that contain lead, which has been an issue at other installations in the country, and that they were going to try sneaker soles. Mr. DiDonna asked whether it can be assumed therefore, that they will not use lead markings on the fields and that they will not use the used rubber tire "crumbles", and asked whether that shouldn't be included in the Resolution. Mrs. Cameron asked Mr. Ginsberg whether the Commission can restrict the type of material on the field to be used. Mr. Olvany noted that Mr. Flaherty is considered a turf field expert, and he had no issues with this application. Mr. Sini said that he personally is not concerned about the health issues. He added

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 10 OF 11

that both engineers testified that there would be no adverse impact to water quality. He mentioned that the artificial turf eliminates the need for fertilizers and pesticides. Mrs. Cameron agreed that the reduction of pesticides at the high school is a good thing, and that came up during her time on the EPC. She stated she was not sure that rubber crumbles is a water quality issue as much as a health hazard for children where they heat up and fumes come off. She said this is what she had learned from Nancy Alderman. Mr. Sini said he wanted to stay with what had been presented at the public hearing. He said he concurred with Mr. DiDonna on the lead paint issue. Mr. DiDonna said that Mr. Graham specifically said that lead paint would not be used on the fields. Mr. Sini agreed that Mr. Graham did say that. Mr. Sini said that he did listen to the audio cassette tapes of the first public hearing on this matter, but was not present at that meeting. Mr. DiDonna said his recollection was that the Commission would be shown the actual specimen of the turf to be utilized.

Mrs. Cameron said that she agrees with everyone, and said that this will improve the water quality situation. This will not impact flooding, since the turf holds the water longer. There is no stormwater issue. Mrs. Cameron said that based on the submitted materials, on a nice day after a rainy day, they will be able to use the facilities, but they will not increase usage beyond that planned, since the games/practices are already scheduled. If there is a sunny season, nothing will be cancelled, and no games or practices would be added. Mr. DiDonna said that the Commission could reference the charts in its resolution. Mr. Ginsberg said that the fields are already fully scheduled based upon the information presented.

Mr. Sini suggested requiring either signage or educational tools for the various youth groups which describes where the fields are and where associated parking is. This could be on the onus of DAF or the Board of Education. Other Commission members agreed.

Commission directed the staff to draft a resolution for consideration and action at a future meeting.

Chairman Cameron read the following agenda item:

Coastal Site Plan Review #288-A, Flood Damage Prevention Application #329-A, Land Filling & Regrading Application #308-A, James Caulfield, Jr., 25 Brush Island Road. Proposing to construct a new shared driveway and septic system to serve the existing house on Lot #1; and to construct a new single-family residence, pool, associated stormwater management system and septic system on Lot #2; and perform related site development activities within regulated areas.

After a brief discussion, the Commission directed the staff to draft a resolution for action at a future meeting.

Chairman Cameron read the following agenda item:

Coastal Site Plan Review #174-B, Flood Damage Prevention Application #185-B, Land Filling & Regrading Application #85-B, Eric & Katherine Stein, 21-23 Cross Road. Proposal to demolish existing pool, terrace and driveway, modify a portion of the existing septic system to accommodate the proposed driveway and parking area, install new swimming pool, and terraces, and perform related site development activities within regulated areas.

PLANNING & ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
APRIL 1, 2014
PAGE 11 OF 11

Commission members said that the lot line needs to be removed and the properties merged together or the parking area that crosses the boundary line needs to be removed or the plan needs to be redesigned. They do not want to set a precedent of parking across the property line. With respect to the lighting, they noted that no extra lighting is proposed and that the property owner should just avoid any future lighting problems in the future. The staff will draft a resolution for consideration at a future meeting.

Chairman Cameron read the following agenda item:

Coastal Site Plan Review #193-A, Flood Damage Prevention Application #338, William Zak & Patricia Browne-Zak, 19-25 Five Mile River Road. Proposing to install a boardwalk, ramp, and float and perform related site development activities within regulated areas.

Commission members felt the application was acceptable and asked the staff to draft a resolution for consideration at a future meeting.

Chairman Cameron read the following agenda item:

Business Site Plan #31-F, TTJ Realty, LLC, Palmers Market, 264 Heights Road. Proposal to construct a one-story addition to the northeast corner of Palmer's Market, and perform related site development activities.

Commission members felt the proposed addition would be fine and that the on-site parking would be adequate. The applicant does need to clarify the on-site parking on the Site Plan. It is also understood that the employees will park on the lower parking area adjacent to Edgerton Street, thereby leaving the upper parking lot accessed from Heights Road for customers. Staff was asked to draft a resolution for consideration at a future meeting.

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. Olvany, and unanimously approved. The meeting was adjourned at 10:50 P.M.

Respectfully submitted,

David J. Keating
Planning & Zoning Assistant Director