

**PLANNING AND ZONING COMMISSION
MINUTES
GENERAL MEETING/PUBLIC HEARING
June 15, 2010**

Place: Auditorium, Town Hall

TIME: 7:45 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:
Spain, Voigt, Hutchison, Riccardo

STAFF ATTENDING: Ginsberg
RECORDER: Syat
FILMED BY: Channel 79

GENERAL MEETING

Vice-Chairman Spain read the first agenda item:

Discussion, deliberation, and possible decisions regarding the following closed public hearing items:

Coastal Site Plan Review #237-A, Flood Damage Prevention Application #263-A, Foster Kaali-Nagy, 70 Five Mile River Road. Proposing to install an access walkway, dock, ramp and float, and perform related site activities within regulated areas.

Mr. Voigt made a motion to waive the reading of the two draft resolutions (for 70 Five Mile River Road and 19 Lighthouse Way) aloud, noting that the Commission has had an opportunity to read them over the weekend. That motion was seconded by Mr. Hutchison and unanimously approved.

Ms. Riccardo said she had changes to page 3 Condition C of the draft Resolution for 70 Five Mile River Road. Mr. Spain then took specific note of the ZBA variance which was received for this project and the fact that the part of the property where the dock is proposed is across the street from 70 Five Mile River Road. The water access is not adjacent to the rest of the property. He said that that is not typical. Mr. Spain continued by stating that he has concern about that issue, and the State of Connecticut DEP Permit which may have expired. He then suggested a sentence within the draft Resolution something along the lines of "if the DEP Permit is not renewed, then the Planning & Zoning Commission approval is not affected". He noted that this property configuration has been the same for over 70 years. Mr. Hutchison made a motion to adopt the Resolution as amended this evening. There was no second from another Commission member. Mr. Ginsberg then explained that since there are only four Commission members present, it may be appropriate to put this on an agenda in which there is a full contingent of Commission members. He will revise the draft Resolution per the comments received this evening, and put this item on a future Commission agenda in July for discussion and possible decision.

Coastal Site Plan Review #254, Flood Damage Prevention Application #284, Javier & Barbara Kulesz, 19 Lighthouse Way. Proposing to construct additions and alterations to the existing residence, and to perform related site development activities within regulated areas.

Mr. Voigt made a motion to adopt the draft Resolution as written. That motion was seconded by Ms. Riccardo and approved by a vote of 4 to 0. The Adopted Resolution read as follows:

**PLANNING AND ZONING COMMISSION
ADOPTED RESOLUTION
June 15, 2010**

Application Number: Coastal Site Plan Review #254
Flood Damage Prevention Application #284

Street Address: 19 Lighthouse Way
Assessor's Map #53 Lot #33

Name and Address of
Property Owner: Javier & Barbara Kulesz
19 Lighthouse Way
Darien, CT 06820

Name and Address of Applicant &
Applicant's Representative Amy S. Zabetakis, Esq.
Rucci Burnham Carta & Carello, LLP
30 Old King's Highway South
Darien, CT 06820

Activity Being Applied For: Proposing to construct additions and alterations to the existing residence, and to perform related site development activities within regulated areas.

Property Location: The subject property is located on the west side of Lighthouse Way approximately 945 feet south of its intersection with Boston Post Road.

Zone: R-1/2

Date of Public Hearing: June 1, 2010

Time and Place of Public Hearing: 8:00 P.M Room 206 Town Hall

Publication of Hearing Notices
Dates: May 20 & 27, 2010 Newspaper: Darien News-Review

Date of Action: June 15, 2010 Action: GRANTED WITH STIPULATIONS

Scheduled Date of Publication of Action:
June 24, 2010 Newspaper: Darien News-Review

The Commission has conducted its review and findings on the bases that:

- the proposed use and activities must comply with all provisions of Sections 410, 810 and 820 of the Darien Zoning Regulations for the Commission to approve this project.
- the size, nature, and intensity of the proposed use and activities are described in detail in the application, the submitted plans, and the statements of the applicant's representative

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whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.

- each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials and related analyses, the Commission finds:

1. The proposal is to construct additions and alterations to the existing residence, and to perform related site development activities within regulated areas. The front porch originally part of this proposal has been removed from this application. The existing first floor of the residence is at elevation 13.2. The first floor of the new addition will be at the same elevation. According to the applicant, the foundation will be designed to withstand flood forces through appropriate venting. The property has frontage along Holly Pond.
2. The Darien Zoning Board of Appeals (ZBA) granted this application with stipulations on May 26, 2010 as part of Calendar #23-2010. That approval, to allow the addition at elevation 13.2 is hereby incorporated by reference. The Darien Environmental Protection Commission (EPC) granted this application on April 7, 2010 as part of EPC #7-2010. That approval is also incorporated by reference.
3. Because of the property's location, this application was formally referred to the State of Connecticut DEP Office of Long Island Sound Programs for comment. An e-mail dated April 27, 2010 was received, which read as follows: "Thank you for the opportunity to comment on the above-referenced application. We have reviewed the application materials for consistency with the applicable policies of the Connecticut Coastal Management Act (CCMA) CGS Sections 22a-90 through 22a-112, inclusive] and find no inconsistencies with the proposal."
4. The potential adverse impacts of the proposed activity upon coastal resources, as designed are minimal and are therefore acceptable.
5. The Commission has considered all evidence offered at the Public Hearing regarding the character and extent of the proposed activities, the land involved, the possible effects of the activities on the subject property and on the surrounding areas, and the suitability of such actions to the area for which it is proposed.
6. The Commission finds that the proposed development, if properly implemented and protected, is not contrary to the goals, objectives and policies of the Coastal Area Management Program.
7. The proposed activity, as modified within this resolution, is consistent with the goals and policies in Section 22a-92 (the Connecticut Coastal Area Management Act) of the Connecticut General Statutes. The conditions as outlined herein include all reasonable measures which would minimize any adverse impacts by the proposed activity on coastal resources.

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8. The proposed activities, to be implemented with the conditions and modifications listed below, will have no adverse impact on flooding, and therefore, this proposal is consistent with the need to minimize flood damage.

NOW THEREFORE BE IT RESOLVED that Coastal Site Plan Review #254 and Flood Damage Prevention Application #284 are hereby modified and granted subject to the foregoing and following stipulations, modifications and understandings:

- A. Additions and alterations to the residence, and related site development activity shall be in accordance with the following plans:
- Zoning Location Survey 19 Lighthouse Way prepared for Javier Kulesz Barbara B. Kulesz, by William W. Seymour & Associates, scale 1"=20', last revised April 30, 2010.
- B. During construction, the applicant shall utilize sediment and erosion controls as shown on the Site Plan by Stearns & Wheeler (Sheet 2 within the bound report) and as may be necessary due to site conditions. These sediment and erosion controls shall be installed and maintained to minimize any adverse impacts during the construction and until the area has been revegetated or restabilized. The Planning and Zoning Department shall be notified prior to commencement of work and after the sedimentation and erosion controls are in place. The staff will inspect the erosion controls to make sure that they are sufficient and are as per the approved plans. All erosion control measures must be maintained until the disturbed areas are stabilized.
- C. A final "as-built" survey is hereby required to certify that the site improvements adjacent to the coastal recourses and/or within the flood hazard area are all in compliance with the approved plans. In addition, a Professional Engineer shall certify in writing that the addition complies with the Flood Damage Prevention Regulations (except where variances have been granted by the ZBA).
- D. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant and applicant's representative. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke the permit as it deems appropriate.
- E. The granting of this approval does not relieve the applicant of the responsibility of complying with all other applicable rules, regulations and codes of the Town, State, or other regulating agency.
- F. This permit shall be subject to the provisions of Sections 815 and 829f of the Darien Zoning Regulations, including but not limited to, implementation of the approved plan within one (1) year of this action (June 15, 2011). This may be extended as per Sections 815 and 829f.

All provisions and details of the application shall be binding conditions of this action and such approval shall become final upon the signing of the approved plan by the Chairman.

Mr. Spain then read the next agenda item:

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Business Site Plan #263/Special Permit, Darien Police Station, Hecker Avenue.

Request for extension of time to complete project.

Mr. Ginsberg noted that a letter had been received by Chief Lovello requesting an extension of time to complete this project. Mr. Voigt then made a motion to approve an extension until June 14, 2012 to complete the police station project. That motion was seconded by Ms. Riccardo and was approved by a vote of 4 to 0.

Mr. Spain then read the next agenda item:

Business Site Plan #156-B, CornerStone Power Development Co., 1001 Boston Post Rd.

Proposed office tenant for a portion of the 2nd floor of the existing building (1,754+/- square feet), above Darien Rowayton Bank. Darien-Rowayton Bank to take remainder of currently vacant second-floor space.

Mr. Hutchison recused himself from all discussions in this matter since he is the owner of the subject property. However, he did not leave the room, which allowed the Commission to still have a quorum present. Mr. Ginsberg then reviewed the June 8, 2010 letter from Robert K. Kettenmann of Darien-Rowayton Bank and the associated June 14th e-mail from David Tohir. He noted that CornerStone Power Development Company is a second floor office use which is allowed as-of-right in the CBD Zone. He then referred Commission members to the submitted floor plans by Neil Hauck Architects which shows all of the second floor uses including the proposed CornerStone use and the remaining space to be occupied by Darien-Rowayton Bank. The approval this evening would fill the entire second floor with tenants. Mr. Ginsberg noted that CornerStone Power Development Company is low intensity use without a lot of visitors and should work well in this location. Ms. Riccardo then made a motion to approve the new tenant. Mr. Voigt seconded that motion which was approved by a vote of 3 to 0. Mr. Hutchison then returned.

Mr. Spain then read the next agenda item:

Coastal Site Plan Review #39-B, Flood Damage Prevention Application #30-B, Christine and Joseph Donelan, 240 Long Neck Point Road. Request for extension of time to commence work.

Mr. Ginsberg referred the Commission to the two recent e-mails received by Mr. Donelan for an extension of time to construct a dock at 240 Long Neck Point Road. Mr. Voigt made a motion to approve the extension of time as requested by Mr. Donelan. That motion was seconded by Mr. Hutchison and approved by a vote of 4 to 0.

Mr. Spain then read the next agenda item:

Business Site Plan #248, Day Street Development, LLC, 1015 Boston Post Road/13 Grove Street

Request for extension of time to commence work.

Mr. Ginsberg summarized Mr. Orlando's development project at the intersections of Day Street, Boston Post Road and Grove Street. He noted that originally, Mr. Orlando (Day Street Development) received approval to construct two new mixed use buildings and has requested

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extensions of time previous to this request. In a June 9, 2010 letter from Attorney Wilder Gleason, an additional period of time is requested to commence the project. Mr. Ginsberg noted that the project will likely proceed in phases and therefore such further details may need to be reviewed by the Commission at a later date. Ms. Riccardo then made a motion to grant an extension of time to commence the project until December 31, 2010. That motion was seconded by Mr. Voigt and approved by a vote of 4 to 0.

Approval of Minutes

May 25, 2010 Public Hearing/General Meeting

Ms. Riccardo had some grammatical corrections on the May 25th Minutes. Mr. Spain also had some minor comments which he gave in writing to Mr. Ginsberg. Mr. Voigt then made a motion to approve the May 25, 2010 meeting minutes as amended by Ms. Riccardo and Mr. Spain. That motion was seconded by Ms. Riccardo and approved by a vote of 4 to 0.

Mr. Spain then read the next agenda item:

Mandatory Referral #1-2010, Darien Housing Authority, Abandonment of Allen O'Neill Drive.

Requested abandonment of a public street--Allen O'Neill Drive.

DEADLINE TO ISSUE REPORT: 7/1/2010.

Mr. Ginsberg summarized the request for a report under Section 8-24 of the Connecticut General Statutes. He noted that the Board of Selectmen met last night and had formally sent this to the Commission. He noted that a draft report prepared by staff and was submitted for the Commission to review over the weekend. Ms. Riccardo then made a motion to approve and issue the report as written. That motion was seconded by Mr. Voigt and approved by a vote of 3 to 1, with Mr. Hutchison voting against. The issued report reads as follows:

**DARIEN PLANNING AND ZONING COMMISSION
C.G.S. SECTION 8-24 MANDATORY REFERRAL REPORT
DARIEN HOUSING AUTHORITY
ALLEN O'NEILL DRIVE ROAD ABANDONMENT
June 15, 2010**

Mandatory Referral #1-2010, Darien Housing Authority, Abandonment of Allen O'Neill Drive.

The Commission has reviewed the submitted information from Attorney Bruce Hill representing the Darien Housing Authority in this report request. The submitted materials include a portion of the Planning & Zoning Commission's March 10, 2009 approval of: Amendment of Zoning Map #4-2008, Amendment of Zoning Regulations #8-2008, Site Plan Application #268, Special Permit Application #122-A, Land Filling & Regrading Application #219, lot line revision.

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The plan that was approved as part of that Adopted Resolution envisioned the abandonment of Allen O'Neill Drive. Finding H on page 7 within that resolution specifically addresses this issue. It reads as follows:

H. The existing public road, Allen O'Neill Drive, loops from Noroton Avenue to Elm Street and has a turnaround area to the southeast. As part of this application, that public road is to be abandoned, and the property turned over to the Darien Housing Authority. That road abandoning process will require a Mandatory Referral from the Planning and Zoning Commission and possibly approvals from the Board of Selectmen and/or the Representative Town Meeting. Although the abandonment of a public road is highly unusual, the Commission believes that it is appropriate due to the size, nature, location, and specific layout of this development. The development of this property will look and function like existing condominium complexes in Darien, as well as the Avalon Darien apartment complex, all of which are served by private driveways and not public or private roads. Those driveways are all maintained privately by the owners/renters of the condominiums.

Recommendation #5 (on page 6-3) within Chapter 6 of the 2006 Town Plan of Conservation and Development reads as follows:

"The Town should work with the Darien Housing Authority to ensure the viability and availability of affordable housing where and when possible. Also, consider the adoption of mechanisms which would facilitate the continued maintenance and operation of the Housing Authority's residential units."

Overall, the proposal that Allen O'Neill Drive be abandoned is consistent with the 2006 Town Plan of Conservation and Development and with town policies.

PUBLIC HEARING (to start no earlier than 8:00 p.m.)

At about 8:10 p.m., Mr. Spain read the first public hearing agenda item:

Proposed Amendment to Zoning Map (COZM #1-2010) and Proposed Amendment to Zoning Regulations (COZR #2-2010), Thomas E. Golden Realty, Co., 169 Noroton Avenue LLC, & Noroton Heights Shopping Center Inc., 22 through 346 Heights Road; 72 Edgerton Street, and Edgerton Street (Map #75 Lot #30); and 273 West Avenue. Proposing to amend the Zoning Regulations to establish a new overlay zone—the Noroton Heights Mixed Use (NHMU) Zone and to amend the Zoning Map by “landing” that Overlay zone on the subject properties; and to create a new Section of the Zoning Regulations entitled, “Noroton Heights Mixed Use Zone (NHMU)” and to modify existing Sections 311 (Zone Classifications), 905 (Joint Parking) and 907 (Parking Structures) of the Zoning Regulations. The subject properties are located on the north side of Heights Road, consisting of approximately 18 acres, and are shown on Assessor's Map #74 as Lots #8 through #20; and Assessor's Map #75 as Lots #1-#4 and #22-30, all now within the DC (commercial) Zone.

Attorney Bruce Hill was present on behalf of the co-applicants – Thomas Golden and the Palmer family, owners of the Noroton Heights Shopping Center. Mr. Hill then distributed a hard copy of the PowerPoint presentation he was about to give. He briefly described the previous application of a few years ago which was ultimately heard in July 2009 and then withdrawn. Since then, Mr.

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Golden has discussed this issue with other property owners and the Palmers have since joined with Mr. Golden on this application.

Mr. Hill explained that the Noroton Heights Shopping Center has no short term plans to redevelop their property. Overall, the area in question is roughly rectangular shaped and the actual shape of the properties to be rezoned is shown in red on both the hard copy hand-out and on the Power Point slide. Mr. Hill specifically noted that the residential uses on West Avenue and Hollow Tree Ridge Road are not part of the proposed zone. He then showed specifically the location of the Palmer and Golden properties within the proposed zone.

Mr. Hill said that he used the 2006 Town Plan of Conservation & Development to guide them in this proposal. He noted various policies and recommendations would apply to this zone change. He believed that the existing Design Commercial (DC) Zone is at odds with the 2006 Town Plan of Conservation & Development. The new zone is an overlay zone over this existing DC Zone. Mr. Hill explained that the renderings shown this evening are for demonstration purposes only and are only concepts. They are not part of this request for the zone change approval. The renderings show the potential mixed use buildings which could be constructed.

Mr. Hill explained that this zone will allow a 30 foot height maximum within 50 feet of an existing residential zone and offers protection for residential property owners. The Planning & Zoning Commission would need to make specific findings to allow the development as shown in the rendering – such as for a 42 foot tall building.

Mr. Hill mentioned that there are two other aspects of this proposal which are being put forth. One is relative to parking, specifically amendments to Section 905 and 907 of the Darien Zoning Regulations. Section 905 governs joint parking and they propose to codify existing practices. This amendment would allow the Planning & Zoning Commission to waive up to 50% of required parking with specific criteria. The main change is that shared parking would be allowed by Special Permit, which allows added protection and specific criteria would need to be met. Amendments are also proposed to Section 907 regarding parking structures. The Planning & Zoning Commission would be allowed to approve these via Special Permit and the Commission must make affirmative findings.

Mr. Hill said that they had a neighborhood meeting last week and in response to that meeting, there are issues that arose. The first is flooding and drainage. Mr. Hill explained that these are two separate issues. He explained that virtually the entire DC Zone is now impervious. Only two of the properties within the zone now have detention. He emphasized that any redevelopment on these properties must comply with Section 880 of the Darien Zoning Regulations with an engineered drainage system. He said therefore that storm water management will likely be improved as any redevelopment proposal is to occur. Mr. Hill then spoke about the recent Leonard Jackson Associates report. He confirmed that Tom Golden is willing to work with the Town on drainage improvements.

Mr. Hill continued by stating that this is the first step of a multi-step process. The first step is for the Commission to consider a new zone with its flexibilities, then place that new zone on the Zoning Map. Then planning for any actual development that application can begin. Mr. Hutchison asked a question regarding differences between shared parking by use and shared parking by time. Mr. Hill

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responded that if the Planning & Zoning Commission wants to revise its Regulations to reflect reality, this section of the Regulations needs to be reviewed. Mr. Hutchison believed that the concept will work well on a larger parcel. Mr. Hill confirmed that the Regulations are designed for a larger development. Mr. Hutchison asked whether the Planning & Zoning Commission would be reviewing tenants for shared parking arrangements going forward. Mr. Hill was not sure that the Commission would be reviewing every single tenant change.

Mr. Spain asked whether there could be special drainage requirements just for this zoning district. Mr. Hill responded that the flooding which now occurs on Heights Road comes from the entire Stony Brook watershed. He reiterated that only two small parcels within the DC Zone now have on-site detention. Mr. Spain believed that the current Zoning Regulations may be sufficient to benefit the existing situation. This aspect of the Regulations will need attention. Mr. Hill mentioned that any redevelopment of the subject properties will likely be incremental.

Mr. Hill said that any proposed parking structures could either be below or above ground. Mr. Spain mentioned that aesthetics of parking structures is achievable. He explained that there are also safety and security aspects. Mr. Spain asked whether there was any commuter parking proposed as part of this. Mr. Hill confirmed that no commuter parking is proposed as part of this proposal. Mr. Hill mentioned that underground parking could be for any on-site residents. Mr. Hutchison noted that one acre of land will be needed for this overlay zone. And, thus it would not be applicable to smaller parcels. Mr. Hill responded that the Planning & Zoning Commission should review that to see if it makes sense. He is not wedded to the one acre minimum, but smaller parcels will be harder to manage redevelopment. Due to the need to get to other agenda items, Mr. Spain explained that it would be appropriate to continue this public hearing to another evening. Mr. Hill was agreeable to such. The public hearing on this matter was then continued to Tuesday, July 13th at 8:00 P.M. in the Auditorium of Town Hall.

At about 9:25 p.m., Mr. Spain read the next agenda item:

Special Permit Application #66-L, Coastal Site Plan Review #234-A, Site Plan Application #259-A, Darien YMCA, 2420 Boston Post Road. Proposal to a) reconstruct westerly portion of existing building which houses Holly Pond School; b) construct a youth gymnastics addition to the building; and c) renovate and enlarge the existing parking lot with new sidewalk, associated landscaping, and drainage; and perform related site development activities within a regulated area. The subject property is located on the south side of Boston Post Road, approximately 350 feet east of its intersection with Weed's Landing, and is shown on Assessor's Map #53 as Lot #60 in the R-1/2 Zone. *PUBLIC HEARING OPENED ON JUNE 1, 2010. DEADLINE TO CLOSE PUBLIC HEARING IS JULY 3, 2010, UNLESS EXTENSION IS GRANTED.*

Attorney Robert F. Maslan, Jr. was present on behalf of the YMCA. He said in response to questions received at the last public hearing, he had spoken with the Fire Marshal who has never calculated the maximum occupancy of the building. Therefore, he is not required to approve any occupancy beyond that. Mr. Maslan then introduced Michael Galante of F.P. Clark Associates, the traffic and parking consultant for this project. Mr. Galante noted that he had reviewed the April 2010 report and most of the graphics are in the file. He noted that the morning peak traffic on the Boston Post Road in this area is 7:00 to 8:00 A.M. He then showed a chart of volume and turning movements. The next step is to determine the level of traffic from the Gymnastics Center. Table 4

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from the Report is the level of parking at the Goodwives Shopping Center now. He then matched one hour period volumes. The morning peak total is 24 vehicle trips – 12 in and 12 out. The P.M. peak would generate 42 trips. Much of this traffic is within a 30 minute period. On Saturday there are 30 trips. He said now one needs to relocate that traffic to the YMCA. It was estimated that about 60% of the gymnastics traffic is from the east. Then one would need to add the site traffic to the background conditions (Table 5 from the Report). The level of service remains essentially the same, except a right turn on Saturday which drops from level of service A to level service B.

Mr. Galante said that he then looked at the accident data (Figure 7 in the Report). The number of accidents in this area was low. He said that the driveways on the YMCA property now have appropriate sight distances. The next part of the report is the parking study (Figure A-5). Part of the application is to add 25 parking spaces. He explained that the gymnastics activity peaks after school. After late morning, the parking needs drop off. Mr. Galante then showed the June 12, 2010 parking survey on a Saturday early mid-morning peak. Typically, there are 15 parents at the Goodwives Shopping Center on Saturday in the Gymnastics Center. New parking would improve circulation and would better accommodate peak flows.

Mr. Hutchison then asked about bus parking. Mr. Galante responded that he does not recall school buses within the traffic count. The drop-off is not designed for large buses. Mr. Voigt then asked how many spaces are now reserved for residents who live on the YMCA property. Mr. Galante responded, "Two." Mr. Voigt then asked how many employees' vehicles are now parked on site daily. Mr. Galante responded that he does anticipate the same usage at the YMCA site, which is now at Goodwives Shopping Center. He explained that a few years ago, that parking was on the Boston Post Road for Special Events at the YMCA. Recently during counts, they found that there was no parking on the Boston Post Road noticed. This was probably due to changes in the programming by the YMCA. Mr. Spain then asked whether parking on the Post Road occurred during only special events at the YMCA. Mr. Spain then asked whether most special events result in parking capacity problems. Mr. Galante responded that it depends on the event. The parking lot will increase by 20 spaces and that will help minimize parking on the Boston Post Road. He has never seen 25 vehicles parked on the Post Road. Mr. Spain said he assumed the volume of the gymnastics activity would remain the same. Mr. Galante said that based on YMCA representations, the volume of participants will not increase. Mr. Spain then asked about the High School teams. Mr. Galante said that his analysis is based on the typical day, which is about 40 people in the late afternoon. Mr. Spain asked whether the accident data is collected locally from more recent years than what was presented. Mr. Galante confirmed that he can get more recent accident data from the Town of Darien. Mr. Spain then asked when the parking lot was considered "full". Mr. Galante responded that at 85-90% full, it is theoretically at capacity. He noted that the YMCA parking lot is not as large as the parking lot at the Goodwives Shopping Center. Thus, even if that standard was applied here, they still have sufficient parking. Mr. Spain asked how much parking was needed for the previously approved lap pool. Mr. Galante noted that it was not bumped up at all. It was assumed that all usage was now on site. The drop-off area proposed as part of this application is a benefit for circulation.

At about 10 p.m., Pat Morrissey, the Executive Director of the YMCA, then spoke. He noted that for special events, he will require staff to park across the street at the Church of Christ Scientist. Relative to the issue of school buses, Mr. Morrissey explained that swim and gymnastic meets go generally from 3:00 p.m. to 5:30 p.m. The buses now park closest to the Post Road in Seagate

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Road at the east end of the property. Gymnastics programs generally run from November to mid-March. Mr. Spain asked whether the improvements to the site will result in more usage by existing members or in increased membership. Mr. Morrissey responded that the intent is to provide space more conducive to the gymnastic activity. They do not anticipate an increase in membership due to this project. Mr. Hutchison asked whether the parking issues could be resolved by better scheduling. Mr. Morrissey responded that a lot of peak activity coincided with nursery school drop-offs. He did confirm that the YMCA does have flexibility on future scheduling.

Mr. Spain then opened up the meeting to comments from the general public. Attorney Barbara Coughlan of Tierney, Zullo, Flaherty & Murphy in Norwalk was present on behalf of the Seagate Association and Weeds Landing Association. She started by introducing John Bassler, the President of the Seagate Association. Mr. Bassler noted that he lives at 13 Seagate Road. He said that in 1995, the prior YMCA Executive Director promised not to return to the Planning and Zoning Commission for future projects. He encouraged the Planning and Zoning Commission to stick by its 2008 decision denying the gymnastics addition. He then submitted copies of his letters for the record in this matter.

Mr. Ken Bravo of Weeds Landing then spoke. He submitted a copy of his comments in a bound report dated June 15, 2010 and a highlighted 5/12/2008 document. He then read aloud verbatim from his 15 page letter. When Mr. Bravo's comments were complete, Mr. Spain asked if there were other comments from the public regarding the YMCA matter. It was noted that there were additional members of the general public who wished to be heard. In order to allow those members of the public to be heard, a motion was made to continue the Public Hearing on the YMCA to Tuesday, July 6, 2010 at 8 p.m. in the Auditorium of Town Hall. Mr. Maslan granted the Commission an extension of time to continue the Public Hearing to that date.

There being no other business, the meeting was then adjourned at 11:15 p.m.

Respectfully submitted,

Jeremy B. Ginsberg
Planning & Zoning Director