

UNAPPROVED

**PLANNING AND ZONING COMMISSION
REGULAR MEETING
MARCH 16, 2006**

The regular meeting of the Madison Planning and Zoning Commission was held Thursday, March 16, 2006 at 7:30 p.m. in Meeting Room A at Madison Town Campus.

MEMBERS PRESENT

Christine Poutot, James Byrne, Ilisa Ring, Christopher Traugh, Garry Leonard

ALTERNATES PRESENT

Neil Payne, Holly Algood, Tim Millhiser

OTHERS PRESENT

Marilyn Ozols, Planning and Zoning Administrator; Michael Ott, Assistant Town Engineer/Director of Public Works; Mary Haburay, Land Use Assistant; Samile Keeler, Commission Clerk; and members of the public. The meeting was taped by MCTV.

Acting Chairman Christine Poutot called the regular meeting of the Madison Planning and Zoning Commission to order at approximately 7:37 p.m. and appointed Mr. Payne to sit for Mr. Macy, Mr. Millhiser to sit for Mr. MacDougald, and Ms. Algood to sit for Mr. Clark. It was noted for the record that Mr. Byrne would be acting secretary for the evening.

REGULAR MEETING AGENDA ITEMS:

1. **06-05DVD: 43 WALL STREET.** Map 38, Lot 60. D Zone. Owner: 123 RMR, LLC; Applicant: Oasis, Inc. Site Plan Review Modification to permit personal service as an additional use and maintain parking waiver.

Attorney Peter Sipples of Clinton, Connecticut presented the application, and was present with Chris Roh, Applicant. Mr. Sipples described the request to convert the first floor of the building, now known as Amy's on Wall Street, a clothing retail shop, to a nail salon and spa. Mr. Sipples reported that the Applicant currently operates at other locations, including another in Madison, located at 200 Boston Post Road, as well as one in Guilford. Mr. Sipples demonstrated that parking requirements for both uses is identical, as laid out in the Statement of Use. Mr. Sipples also clarified that absolutely no changes were proposed to the exterior of the site. Available parking includes nine (9) spaces to the rear and two (2) spaces to the front. Mr. Sipples recalled that the Commission previously waived the parking lot requirement for fifteen (15) spaces to allow eleven (11) spaces on-site and four (4) spaces at the municipal parking area, located approximately 400-feet from the property. Mr. Sipples sought permission for his client to continue utilizing the four (4) spaces at the municipal parking area, and was willing to stipulate

that employees must park at that location. Mr. Sipples read **EXHIBIT A** into the record, a list of signatures of customers of the Applicant who support the application. Mr. Sipples also submitted **EXHIBIT B** into the record, a letter of support from Kelley Kapfer, customer of Oasis Nails and Spa, dated March 16, 2006. Finally, Mr. Sipples entered **EXHIBIT C** into the record, *Shore Line Times Readers' Poll 2004*, citing Oasis Nails in Madison for 1st place in the "Nails" category.

Mr. Byrne requested Ms. Ozols's opinion as to whether the available parking is adequate for the requested use. Ms. Ozols responded that the requirements are the same for both uses; and that it is the consideration of the Commission as to whether the waiver of parking for this use on this property is appropriate. Ms. Ozols noted that the requested use is a more intense use. She also clarified that there are 9 onsite spaces and two on street parking spaces in front of the building. Mr. Sipples clarified that the request is not to add a use; rather, the purpose of this application is to replace the existing retail with a salon. Ms. Ozols stated that the intent is not to prohibit retail as an approved use at the site; rather it is to establish that the additional use is also appropriate for the site. Ms. Ring requested more details from the applicant about the spa. Mr. Sipples stated that there will be three (3) employees on-site and a manager. Mr. Sipples reported that the summertime is the busy season for the spa, averaging 4-6 customers per hour, while winter averages 2-3 customers per hour. Mr. Sipples also noted that a clothing retail store could have more customers at any one given time. The spa, Mr. Sipples clarified, would provide nail service – manicures and pedicures. Ms. Poutot explained that the Commission is considering permitting a service use, and that it needs to give careful consideration to the future. Mr. Payne questioned how the parking presently works at the site. Ms. Ozols reported that no parking issues have been brought to her attention. Mr. Traugh inquired about the hours of operation. Mr. Sipples replied that the business would operate Monday through Friday 9:00 a.m. to 7:00 p.m., Saturday 9:00 a.m. to 6:00 p.m., and maybe Sunday. Mr. Payne then questioned how the parking works at the 200 Boston Post Road location. Ms. Poutot asked what the square footage is at the 200 Boston Post Road location. Mr. Sipples stated that 200 Boston Post Road is approximately 1,300 square feet, and 43 Wall Street is approximately 2,400 square feet.

Chris Roh, Applicant, testified that, previously, there was a nail shop located right downtown, which closed down; and that many of those customers came to him, and have expressed a desire for a downtown Madison location for his spa. Mr. Traugh asked whether the business is primarily appointments or walk-ins. Mr. Roh stated that 60-70% of the business is by appointment, but there is a mix.

The Commission had the following discussion on the above motion:

Ms. Ring stated that she was comfortable with the request, and expressed that it will not have a negative impact on the parking.

Mr. Byrne stated his opposition to the requested modification based on his opinion that the requested use will have a negative impact on the parking. Mr. Byrne noted the parking issues that have occurred at Bradley & Wall down the street.

Mr. Millhiser stated that he was torn about the request, and expressed his opinion that it was a mistake that the Commission previously granted parking waivers for this site.

Mr. Payne supported the application, but requested clarification of what constitutes “personal service”. Ms. Ozols stated that “personal service” is not specifically defined in the regulations at this time, but noted that it covers nail salons, hairdressers, and similar uses.

Ms. Algood stated she was in favor of the application.

Ms. Poutot agreed with comments made by Mr. Byrne and Mr. Millhiser, but stated that she was also torn. Ms. Poutot distinguished 43 Wall Street from the property at Bradley & Wall due to its proximity to a municipal parking lot. Ms. Poutot clarified that her concern was not regarding the current proposal, but what may happen in the future.

Mr. Traugh stated he was in favor of the application.

Finally, based upon the application as presented and its discussion, **upon a motion by Mr. Leonard, seconded by Ms. Ring, it was voted that the Madison Planning and Zoning Commission approves a Site Plan Review Modification to permit personal service as an additional use on the first floor and maintain parking waiver for application #06-05DVD: 43 WALL STREET; Map 38, Lot 60; D Zone; Owner: 123 RMR, LLC; Applicant: Oasis, Inc., as described in the application submitted February 23, 2006.**

The motion carried 5-3-0.

IN FAVOR: Ring, Traugh, Leonard, Payne, Algood

OPPOSED: Poutot, Byrne, Millhiser

ABSTAINED: none

PUBLIC HEARING – Scheduled for 8:00 P.M.:

06-03D: 351 COPSE ROAD. Green Hill Road Softball Fields. Map 64, Lot 37. RU-2 Zone. Owner: Barbara N. LeSage; Applicant: Town of Madison. Special Exception Permit for construction of school athletic fields.

The public hearing commenced at approximately 8:01 p.m. Christopher Traugh recused himself from this application and left the room. Ms. Poutot noted that this application was not complete because the landscape plan was missing. Therefore, Ms. Poutot stated that no action would be taken by the Commission at this meeting. However, Ms. Poutot stated, a presentation from the Town would be heard and questions and comments would be allowed from the public. Ms. Poutot clarified that comments would be restricted to concerns to allow the applicant to address those for the next hearing, and that no comments for or against the application would be taken at this hearing since the application was incomplete.

Michael Ott, Assistant Town Engineer and Director of Public Works, presented the application on behalf of the Town. Mr. Ott stated that the request is for a Special Exception Permit to allow construction of two (2) playing fields. Mr. Ott reported that the Town entered into a lease agreement with the property owner, with an option to purchase the property eventually, to allow construction of the fields. Mr. Ott demonstrated the 8.9-acre site, which includes the leased portion of 4.7-acres, on sheet three (3) of the plan set. For further clarity, Mr. Ott also demonstrated the property on an aerial photograph, marked **EXHIBIT A**. Mr. Leonard inquired about access to the fields. Mr. Ott stated that the proposal does not include any new parking areas or driveways. The only new impervious surface, Mr. Ott reported, is an extension of the

existing sidewalk to the new softball fields.

Mr. Ott pointed out the field layout for Field 1, and explained the plan to extend the existing field hockey field to the north along Green Hill Road. Turf grass, which would most likely be irrigated, was proposed for this field. Mr. Ott stated that a 200' foul line softball field is laid out on the described extension, and that the field would not be skinned. This new softball field, Mr. Ott stated, will be a continuation of the existing field hockey field. Mr. Ott stated a backstop and two (2) chain-link players' enclosures were proposed. Mr. Leonard inquired about the in-field material, which Mr. Ott indicated would most likely be grass because he did not believe the field would be skinned.

Mr. Ott then presented the plan for Field 2, a more formal, larger field on the eastern portion of the property, with synthetic grass and several improvements, as laid out in the plans. Mr. Ott stated that this field will not be irrigated, but will have a drainage plan, which will pick up surface water runoff from the field hockey extension, and water from the synthetic field, and direct it to a detention basin at the northeast corner. Mr. Ott stated that the lease agreement prohibits lighting and requires landscaping along the lease line. While a landscape plan was not presented, Mr. Ott demonstrated on the aerial photograph where the landscaping is required. Mr. Millhiser inquired about proposed tree clearing. Mr. Ott stated that the center row in the middle of the two existing fields will have to go, along with other trees by the hockey field. The clearing limits were demonstrated on sheet five (5) of the plan set. Mr. Millhiser questioned the value of the trees and whether the Commission would have an opportunity to see the trees. Mr. Byrne commented that he would suspect that the Town would do its best to save as many trees as possible. Mr. Ott referred to a note on sheet two (2) of the plan set, which requires the contractor to meet with the Town in the field before removal of any vegetation or trees. Mr. Ott stated that the Town will go out and stake out the clearing limits, and that the clearing limits shown are as tight as they can possibly be while still allowing for field construction. Mr. Ott stated that, reasonably, the clearing limits cannot be adjusted. Mr. Millhiser expressed his opinion that if a significant tree exists within those limits, an attempt should be made to save it. Mr. Ott demonstrated that trees could not be left because of required grading changes in construction of the fields. Ms. Poutot asked Ms. Ozols whether, in light of the fact that the public hearing was opened, the Commission could consider a site walk. Ms. Ozols stated that a site walk should not be held at this point, but that Commission members could visit the site individually on their own, and testify about their observations at the hearing.

Mr. Byrne questioned when the fields will be used; where parking will take place; and what happens regarding lights when the lease terminates or if the Town does not purchase the property. Ms. Ozols stated that any change would be required to come back before the Commission for a modification. Mr. Payne questioned the complexity of the cut and fill operation, from Field 1 to Field 2, for example. Mr. Ott explained that trees will be removed from the north end of the field, earthen fill will be placed to the limits of the extension of the hockey field, and the corner against Green Hill Road will be cut in. Mr. Ott explained that the ground drops from west to east at Field 2, and so that area will be cut to generate material, then graded in places. Mr. Ott reported that there would be 5'-6' fills and some 4'-5' cuts.

Mr. Byrne asked how many activities will occur at the fields at once. Craig Semple, Director of

Athletics, testified that the season begins in March and goes through late October, and that the main priority is use of the softball fields. The fields, Mr. Semple stated, will serve for Little League and multi-sport activities for little kids. Mr. Semple further stated that no more than two (2) activities will occur on the fields at one time. Mr. Semple finally stated that parking will be at the existing lot at Polson School.

For information gathering purposes, Ms. Poutot invited comments from the audience, and reiterated that pros and cons would not be heard at that time.

Joseph Shomberg of 61 Milano Pond Drive was concerned that, throughout Connecticut, girls fast-pitch softball is played on a skinned clay infield. Mr. Ott responded that the extension of the field hockey field is a turf field; that Field 1 will be unskinned and Field 2 will have synthetic turf.

Ray Ezelle of 8 Partridge Lane, Clinton, Connecticut, High School Girls Softball Coach, stated that either way is fine, skinned or unskinned. Mr. Ezelle identified that a grass infield poses a problem with ground balls.

Raymond Benn of 350 Cope Road questioned whether the fields will be visible from Cope Road after landscaping is installed. Mr. Ott replied that the intent of the landscaping requirement is to create a visual barrier from the property owner's home, and that the landscaping may reduce visibility from Cope Road as well.

Peter Horton of 23 Forest Hills Road asked if the residents of Cope Road see the fields now, which Mr. Ott did not know.

Renee Pardo of 323 Green Hill Road, located right in front of the proposed field, inquired as to whether a maintenance entrance to the field was proposed. Mr. Ott demonstrated the location of the proposed maintenance entrance on the plan, and clarified that no pavement or gravel would be placed on it. Ms. Pardo then questioned whether there were any plans to landscape the Green Hill Road side of the fields. Mr. Ott indicated that he did not know whether landscaping would be proposed in that area, and that all but a 12'-15' strip of trees would have to be removed. After the strip of trees, Mr. Ott described a slope down to a grass field. Mr. Ott stated that approximately 40' of trees currently exist along the Green Hill Road side. Ms. Pardo suggested that the applicant consider planting more screening trees and consider a better barrier between the field and road to limit access by small children.

Ms. Poutot suggested that maybe the landscape architect could help with screening the northeast corner of Field 1 where the cut and boulders exist. Mr. Ott agreed to look into it, but expressed the opinion that there are elevation problems there. Mr. Ott also noted that the slope down to the field will serve as natural bleachers. Mr. Ott further noted that the rocky terrain in the northeast corner will be replaced with grass. Mr. Leonard asked about the distance between the fields; how that figure was reached; and whether it could be less. Mr. Ott stated that the intent is to get as much width for the extended field hockey field; he did not think it could be moved closer because of the orientation of the field hockey field.

Mark Castaldo of 37 Copperfield Drive questioned the lease terms with the Town. Mr. Byrne remarked that he had read the lease, and it started in 2003 and ends in 2013. Mr. Byrne read some of the economic terms of the lease into the record, and clarified that the Planning and Zoning Commission only deals with land use, and has nothing to do with

economics.

Dawn Stearns of 9 Deer Creek, Middle School Softball Coach, stated that this is a very important project, and that the girls were present at the hearing to make comments in support of the application. Ms. Poutot explained that the application was not complete without the landscape plan. Ms. Stearns stated that the girls need an on-site playing field, as opposed to being bussed off-site as they are now.

On behalf of the athletes, Craig Semple agreed that it is very important for the girls to have an on-site field because; 1) the girls need to feel connected to the school; and 2) the girls deserve the support of the student body at the school. Mr. Semple also recalled that when the new high school was built, a field was taken away with the promise that it would be reconstructed.

Patrick Noonan of 137 Overshores Drive West questioned the timing, and expressed that it is important for the girls to be treated equally to the males, which he alleged has not happened in Madison for a couple of years. Mr. Noonan noted that, pursuant to the lease, the Town has made a large investment, and he was disappointed that the girls do not have a field. Mr. Noonan also noted that a Title 9 case would be very expensive if the Town gets sued. Mr. Noonan asked when the fields would be constructed. Mr. Ott responded that the Town wishes to put the project out to bid right away; however, there are funding issues that he could not speak to. Mr. Ott stated that he could get answers for the next meeting. Mr. Ott summarized his answer that the Town would like a later summer/fall construction date.

Ken Santone of 46 Kelsey Springs Drive, President of Parents Booster Club, expressed concern about the needs of the children in Town.

Tom Banisch, Madison Little League President, of 265 Durham Road stated that he worked with Mr. Ott on the plan, and noted that if the children have to get on a bus to participate in sports, they will be forced to make a decision between school work and sports, which is more reason why a field should be constructed on-site. Mr. Banisch further stated that a lot of hard work went into the plan, and that all aspects of the plan were considered, including the neighbors and conservation.

Ms. Poutot asked Commission members to indicate specific items that they would like to see addressed at the continued hearing. She stated that trying to buffer the neighbors as part of the landscape plan should be considered. Ms. Algood noted that field surface issues should be addressed as well. Mr. Byrne questioned the possibility of street parking and whether "No Parking" signs could be placed on the streets. Mr. Ott stated that parking signs are a police matter that he would look into. Ms. Poutot questioned whether the field could be rented for adult programs if approved. Members asked whether it could become a commercial enterprise when the lease expired and if they could attach a restriction as a condition of approval. Scott Erskine, Director of Madison Beach and Recreation, stated that the current plan is for children high school age and younger to have use of the fields, and that adults would be strongly advised to rent another field in town. Ms. Ozols responded that the Commission could attach a condition to an approval, but stated that school facilities are frequently used by other town organizations. She also stated that, if the lease terminates, this would no longer be a school facility and would need further Commission approval for a different use. Mr. Erskine clarified that the fields are not big enough to accommodate adult league softball because children play on 60' base paths, and men play on 65' base paths.

At approximately 9:01 p.m., Ms. Poutot announced that this public hearing item would be continued to April 20, 2006 at 8:00 p.m. in the same location, and the Commission took a brief recess from approximately 9:15 p.m. to 9:25 p.m.

06-04D+CSP: SCOTLAND AVENUE. Map 49, Lot 38. R-2 Zone. Owner/Applicant: Town of Madison. Special Exception Permit Modification for construction of concession stand and parking area improvements. Coastal Site Plan review required.

Mr. Traugh recused himself from this application and was not present. Acting Chairman Ms. Poutot stated that this application was not complete because the landscape plan was missing. Therefore, no action would be taken by the Commission at this meeting. However, Ms. Poutot stated, a presentation from the Town would be heard and questions and comments would be allowed from the public. Ms. Poutot clarified that comments would be restricted to concerns to allow the applicant to address those for the next hearing, and that no comments for or against the application would be taken at this hearing since the application was incomplete.

Michael Ott, Assistant Town Engineer and Director of Public Works, presented the application on behalf of the Town. Mr. Ott stated that the request is for a Special Exception Permit Modification to allow improvements to Jaycee Field, located on Scotland Avenue. Mr. Ott gave a brief history of the property, which was owned by the town since 1948. He described it as a 6.5-acre thru lot fronting on both Scotland Avenue and Lovers Lane, with two existing softball fields, and a multi-purpose field between them. The main parking area, Mr. Ott stated, is accessed off of Scotland Avenue; and there is an existing 3,000 square foot building leased by the town to the V.F.W., which runs a daycare out of it. Mr. Ott stated that there is also a gravel parking area located off of Lovers Lane. Mr. Ott clarified that this project is a Madison Little League project, in cooperation with the Town of Madison, and that John Matthews, with offices at 817 Boston Post Road, is the architect who designed the concession stand.

Improvements to the site include construction of a small concession stand building with front windows and a counter that will serve as a sales area; restrooms; a storage area; a sink; refrigerator and freezer. The building will be set back into an existing slope in the corner of the field, along Scotland Avenue, with proposed grading for the cut into the slope. A concrete sidewalk is proposed from the building to the expanded parking area. The existing parking area, Mr. Ott stated, can only accommodate thirty-five (35) cars, if they are all strategically parked, while the expansion will net fifty-nine (59) formal parking spaces. A gravel surface is proposed for the parking area, with timber post and rail fences; the posts will be set at 9' intervals to delineate the spaces. Mr. Ott also proposed to pave aprons at Scotland Avenue, narrow the curb cut down, and create a one-way traffic pattern through the parking area. The existing flagpole will be relocated from the east field to Lovers Lane to make a more formal setting with the Belmont Family memorial stone located at the base. Mr. Ott also proposed to light the pole with a fixture that will shoot a beam straight up at the flag, and agreed to provide the lighting specifications for the next meeting. Mr. Ott stated that the concession stand will require construction of a new septic system. The only other lighting proposed included two (2) small fixtures over the doors of the concession stand, per building code requirements. The existing concrete building, Mr. Ott stated, serves as a pump house. Mr. Ott stated that power and water

for the concession stand will be brought in underground. Parking lot improvements include a cutting 20-21' of trees on the southerly property line to accommodate access, 18' parking spaces, and 3' for the post/rail fence, leaving 10' of trees. To address the tree concern of the neighbors, Mr. Ott submitted **EXHIBIT B** into the record, a survey of the VanDyke property, on which Mr. Ott demonstrated the general proximity of the VanDyke house to the project. Mr. Ott stated that he would locate the house exactly for the next meeting. Mr. Ott also demonstrated the VanDyke property in relation to the Jaycee Field property and the trees on an aerial photograph marked as **EXHIBIT C**. Mr. Ott indicated that the removal of the trees will reduce the visual barrier for the VanDyke property, but that John Cunningham, Landscape Architect, is developing a plan to help mitigate that. This landscape plan would be presented at the next meeting.

Ms. Poutot questioned whether some spaces could be cut back. Mr. Ott indicated that the pump house and the well location drove the parking plan and the northern limit of the parking. Mr. Leonard noted that currently there is a lot of spill-out of parking onto the road. Mr. Ott stated that the parties involved with the project feel that if the improvements are being made, then the capacity should be maximized as informally as possible.

Mr. Byrne asked whether any other athletic fields in town have a concession stand. Tom Banisch, Madison Little League President, of 265 Durham Road, replied that there is no field in town that has a concession stand or a bathroom facility. Mr. Banisch further stated that presently, portable bathroom facilities are used at the fields, which has resulted in vandalism. Mr. Banisch pointed out that a concession stand gives a family a place to come on a Saturday. Mr. Byrne expressed his opinion that lighting the flag in a residential neighborhood is inappropriate. Mr. Banisch stated that a flag cannot be raised at night without being lit. Mr. Banisch further stated that, presently, the children do not say the Pledge of Allegiance because there is no flag, which takes away from the patriotic aspect. Ms. Ring questioned whether the plan is to light the flag all night or until after game time. Mr. Banisch stated that the flag is proposed to be lit all night, but noted that the fields are unlit and there is no game play after dark. Mr. Leonard remarked that, typically, flagpole lights are "very, very" discreet if done right. Ms. Ring requested more lighting detail for presentation at the next meeting, including an impact ratio. Ms. Ring also requested specifications for the concession stand lights, and that they be shielded fixtures. Mr. Byrne then read **EXHIBIT D** into the record, a letter from Edmond Clark, Esq., of 83 Scotland Avenue, dated March 12, 2006, with an accompanying photograph.

John Matthews, Architect, presented the plans for the 432 square foot building with gable roof, which included a wrap around sidewalk, two (2) handicapped accessible bathrooms and storage space, as shown on the floor plan and building elevations. Mr. Matthews described the building materials, including a clapboard gable roof, metal doors, and timberline architectural shingles. Mr. Matthews reported that the height of the building is 16' to the peak, and submitted two (2) photographs labeled **EXHIBIT E**, depicting views toward the area of the proposed concession stand. Ms. Ring questioned what could be seen from the street. Mr. Matthews agreed to present site sections from the street for the next meeting. Mr. Ott noted that there will be landscaping along Scotland Avenue. Ms. Poutot suggested that it would be nice to block some of the building.

Mr. Byrne asked what kind of food is proposed to be served from the concession stand. Mr.

Banisch stated that no ventilation is proposed and that they do not want to do any cooking inside the building. Mr. Banisch indicated that, if any cooking is done, it would probably be done outside on a grill. Cold drinks, ice cream, snacks and hotdogs were proposed to be served from the building. Mr. Byrne asked how food dropped by kids would be “policed”. Mr. Banisch responded that they now have a program implemented to clean the fields after games, and noted that trashcans are provided. Mr. Banisch also stated that they have talked to the town regarding maintenance of the bathrooms, and pointed out that people bring food and things to the games now anyway. Mr. Payne inquired about the amount of use of the fields. Mr. Banisch stated that as of April 1st, practice occurs every night from 5:00 p.m. to dusk, Monday through Friday. Mr. Banisch clarified that the concession stand is not proposed to be open during practice time, however, the bathrooms will be available. Mr. Banisch then submitted a photograph depicting the proposed concession stand location, as it exists, as **EXHIBIT F**. Mr. Banisch continued by reporting that 2-3 games are played on the main field on a Saturday. Mr. Banisch demonstrated a photograph of the existing pump house as **EXHIBIT G**, and noted that Peter Lemley, Electrician of 90 Wall Street, is donating the electrical work; Vincent Anderson is donating the septic system; and John Matthews is donating the building design for the project. Per a suggestion by Mr. Payne, Mr. Banisch stated that he would be happy to paint, or improve the appearance of, the pump house. Mr. Ott discussed the proposed signage for the property, noting that the existing sign is in disrepair. He stated that the plan proposes to replace the existing sign with a new sign, a replica of the existing Lowrey Field sign on Boston Post Road.

For information gathering purposes, Ms. Poutot invited comments from the audience.

Carla VanDyke of 74 Scotland Avenue read a letter, which had three (3) photographs attached and was marked **EXHIBIT H**, into the record, addressing concerns of the neighbors, and signed by a group of neighbors.

Jeffrey Leichtman of 60 Silo Hill Drive remarked that the improvements are positive, but was concerned about the safety problems of the field, which is not level in all places. Mr. Leichtman noted that some pockets collect water and should be improved as well.

Elizabeth Booth of 10 Northwood Road questioned why the flag cannot just be raised for the duration of a game and taken back down. Mr. Banisch agreed that that would be possible, but reiterated that the flag is proposed to be relocated since it is hard to access now and the desire is that the flag be visible.

Mr. VanDyke of 74 Scotland Avenue questioned why Mr. Banisch maintained that the existing flagpole is difficult to access.

Scott Wilson of 40 Sportsmans Hill Road testified that the flagpole is now located up a very steep hill and is difficult to get to, and noted that a person would need to stand on an unsafe angle to raise the flag.

Ms. Poutot remarked that the kids could be responsible for raising the flag and taking it down. Ms. Ring questioned whether the concern is the flagpole or the light. Mr. Byrne noted that the specific concern was not addressed in the letter **EXHIBIT H**.

Sue Dahlberg of 87 Scotland Avenue questioned whether other athletes, such as soccer players, would have access to the concession stand as well. She stated that her concern was that the garbage would attract nuisance animals. Mr. Banisch clarified that other sports would have access to the concession stand.

Mr. Millhiser questioned whether any consideration was given to placing some of the improvements on the Lovers Lane side. Mr. Ott stated that there is currently a parking area provided on the Lovers Lane side, and that the building could probably go over there as well, but the Scotland Avenue side is the established access to the property and is the most logical place for the concession stand and improvements. He further noted that if the concession stand were placed on the Lovers Lane side, it would result in the same issues being raised by the residents on the Lovers Lane side. Ms. Algood noted that **EXHIBIT H** requested relocation of the parking for the purpose of saving trees. Mr. Ott responded that people already do use the parking area on the other side.

Leslie Donkin of 77 Scotland Avenue expressed the opinion that the aesthetic improvements are positive, and requested an assessment of the feasibility of parking on the Lovers Lane side. Ms. Donkin also stated that Ms. VanDyke is not the only one concerned about losing the trees; they are appreciated by all of the neighbors.

Ms. Poutot summarized that the applicant should look at alternatives for the additional parking spaces in the tree line; consider the size and placement of the concession stand building; consider the type of food to be served from the building; and provide lighting information for the flagpole and the building fixtures. Mr. Millhiser suggested that, in addition to painting the pump house, the applicant consider screening it with trees or shrubs. Finally, Ms. Poutot suggested that Mr. Banisch consider a garbage removal plan.

Finally, at approximately 10:28 p.m., Ms. Poutot stated that the public hearing would be continued to April 20, 2006 at 8:00 p.m. in the same location.

Mr. Traugh returned to the meeting at this time.

2. **06-06: TERRACE AT WEST WHARF. LOT 12.** Map 37, Lot 21. R-1 Zone. Owner/Applicant: MJM Land Development, LLC. Resubdivision application to divide one lot into two. **Receipt only. Public Hearing required.**

No action.

3. **06-07 DVD: 11 LANTERN HILL ROAD.** Map 26, Lot 27. R-1 Zone. DVD Zone Boundary Change. **Receipt only. Public Hearing scheduled for May 18, 2006.**

No action. Ms. Ozols stated that the hearing would be scheduled for April 20 rather than May 18 as previously noted.

4. **06-08 CSP: 85 GARNET PARK ROAD.** Map 34, Lot 2. R-2 Zone. Applicants: James & Kris Stufano. Coastal Site Plan Review for additions to single family dwelling within 100 ft. of a coastal resource. **Receipt only.**

No action.

5. **06-09D: 491 OLD TOLL ROAD.** Map 142. Lot 72-1. RU-1 Zone. Owner: A.G. Russo Construction, LLC; Applicant: Maple Ridge Professional Bldg., LLC. Special Exception

Permit for construction of two 1½-story office buildings. **Receipt only. Public Hearing required.**

No action.

6. **Local Historic District** – Report in conformance with C.G.S. Chapter 97a Section 147(b).

Ms. Poutot recapped that the Commission heard the presentation from the study committee at the last meeting, and that it is before the Commission for comments from the Planning and Zoning Commission.

Mr. Leonard moved, Mr. Byrne seconded, that the Madison Planning and Zoning Commission supports the Local Historic District Study Committee report finding it to be a great job and in accordance with the Town Plan and the Commission recommends submission for vote by the property owners as soon as possible.

Members discussed the motion. Mr. Byrne expressed the opinion that he would like to see the residents on the south side of Boston Post Road, on both sides of Island Avenue, be urged to participate. Mr. Byrne also wanted to see some assurance that property owners who reside in the DVD as well as the Historic District would not have to go through a two step process. Mr. Leonard stated that, while there are overlapping concerns, there are also different concerns related to both the DVD and the Historic District; he was not sure that one should preclude the other, but agreed that it should be ensured that they do not conflict. Ms. Ozols agreed that the two should be coordinated so that the process would not be made burdensome. Ms. Algood referred to Appendix B in the report, which suggests that a proposed ordinance would be submitted, and questioned why no proposed ordinance was presented. Mr. Leonard stated that that refers to creation of the commission, which happens once it is voted in by the residents. Ms. Ozols added that the ordinance is standard language, prescribed by statute, that addresses the charge and membership of the commission. She further clarified that an ordinance would not include the regulations or design standards, which are written by the Historic District Commission once it is formed, but that a draft ordinance could be added to the report.

The Commission discussed amending the motion to reflect that the standard ordinance that is issued in other towns be appended to the report as a model. Therefore, after its discussion, **upon a motion by Mr. Leonard, seconded by Mr. Byrne, it was unanimously voted that the Madison Planning and Zoning Commission supports the Local Historic District Study Committee report finding it to be a great job and in accordance with the Town Plan and the Commission recommends submission for vote by the property owners as soon as possible, with the recommendation that a standard ordinance as enacted in other towns be appended to the report as a model.**

The motion carried 8-0-0.

IN FAVOR: Ring, Traugh, Leonard, Payne, Algood, Poutot, Byrne, Millhiser

OPPOSED: none

ABSTAINED: none

APPROVAL OF BILLS

Upon a motion by Mr. Byrne, seconded by Mr. Traugh, it was unanimously voted to approve the bills as submitted.

APPROVAL OF MINUTES:

Special Meeting – February 2, 2006

A motion was made by Mr. Traugh, seconded by Mr. Byrne, to approve the minutes of February 2, 2006. Mr. Leonard stated that he was present at the meeting. Therefore, **upon a motion by Ms. Ring, seconded by Mr. Byrne, it was voted that the Madison Planning and Zoning Commission approves the minutes of February 2, 2006 with the suggested amendment.** Mr. Leonard, Ms. Poutot and Mr. Payne abstained. The motion carried 5-0-3.

Regular Meeting – February 16, 2006

Upon a motion by Ms. Ring, seconded by Mr. Leonard, it was unanimously voted that the Madison Planning and Zoning Commission approves the minutes of February 16, 2006.

REMARKS:

1. Commission Chairman
2. Planning and Zoning Administrator

Ms. Ozols noted that the agenda indicated that the public hearing for application #06-07DVD was scheduled for April 20, 2006.

LITIGATION:

Executive Session As Required

None.

ADJOURNMENT

With no further business before it, **upon a motion by Mr. Byrne, seconded by Mr. Millhiser, the regular meeting of the Madison Planning and Zoning Commission was adjourned at approximately 10:40 p.m.**

Respectfully submitted,

James Byrne
Acting Secretary