

Subject to Approval

MADISON PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES May 20, 2021

The Regular Meeting of the Madison Planning and Zoning Commission was conducted Thursday, May 20, 2021, at 7 p.m., remotely, using Zoom Videoconferencing. The public was invited to participate remotely by joining the meeting through a Zoom webinar link password, telephone call-in number, and a webinar identification number. Log-in and call-in details were posted to the Town of Madison website (<https://www.madisonct.org/>), prior to the meeting.

MEMBERS PRESENT

Chairman Ronald Clark, Vice Chairman James Matteson, Secretary Elliott Hitchcock, John K. Mathers, Joseph Bunovsky, Jr., Giselle Mcdowall, Seonaid Hay, and Thomas Burland.

MEMBERS ABSENT

Joel Miller.

ALTERNATES PRESENT

Peter Roos, Ron Bodinson and Carol Snow.

OTHERS PRESENT

Director of Planning and Economic Development David Anderson. The meeting was recorded via Zoom Videoconferencing software for You Tube viewing.

The Regular Meeting of the Madison Planning and Zoning Commission was called to order at approximately 7 p.m. by Chairman Ronald Clark, who seated Alternate Commissioner Peter Roos for absent Commissioner Joel Miller.

PUBLIC HEARING ITEMS:

21-03+CSP. 856 Boston Post Road. Map 39, Lot 8. R-2 District. Owner: Faith Whitehead; Applicant: 856 Boston Post Road LLC. Special Exception Permit Application to construct a single-family residential cluster development and associated site improvements, also Coastal Site Plan Review. **Continued from March 18, 2021.**

Chairman Clark stated that the public hearing would pause at around 9:15 p.m. to 9:30 p.m., to check to see if this public hearing could be finished this evening; there have been changes that have been made since March 18, 2021.

Attorney Christopher McKeon stated that this is a special exception permit application with a Coastal Site Plan (CSP) review; it is a seven unit, single-family small cluster residential development, which provides the commission with substantial evidence that it complies with all applicable planning and zoning regulations in the Downtown Village District (DVD), including requirements for the CSP. The applicant's team of experts has provided substantial evidence to support the special exception permit; in addition, the Inland Wetlands and Watercourses Agency

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has issued a regulated activity permit, and there is approval from the Advisory Committee on Community Appearance (ACCA) for its architectural design, according to Mr. McKeon. Architect Gregory Nucci, will present the plans and visual model of the plans; John Cunningham of TEC Landscape Design will present the landscaping plans; Michael Ott, professional engineer and land surveyor, will present the civil engineering plans, storm water management plans, and septic system plans; and Richard Hosley, Jr., explosives engineer, will discuss the rock removal activities and proposed blasting, with assurance that it can be done safely, according to Mr. McKeon. John Guskowski, a certified planner, will give a report on how the application meets the Madison Plan of Conservation and Development, the Comprehensive Plan, and Madison's Planning and Zoning Regulations; Marc Nadeau, real estate, is unable to be in attendance, but his impact study, which analyzed the impact of this development on surrounding properties and examined potential concerns, including increased traffic, noise, air pollution, and light pollution, was filed into the record on Monday, May 17, 2021, according to Mr. McKeon. Mr. Nadeau found that this application presents a well planned and executed project that will very well benefit the value of the neighborhood, according to Mr. McKeon, who read an exact quote from the submitted study. Mr. McKeon stated that they are fully aware of the level of concern and opposition to this project, and they have spent a considerable amount of time reading each letter and analyzing the themes. The team has not ignored the letters; they have been discussed and addressed; the public input has shaped this application, according to Mr. McKeon. For new concerns raised, tonight, Mr. McKeon stated that he wants the right to address them. Mr. McKeon stated that he has prepared and submitted a list of conditions. At the last public hearing, Mr. McKeon stated that he misspoke by saying they had a neighborhood meeting on Feb. 17th, and that meeting actually occurred on Jan. 27th, and he apologized for misstating that meeting. Greg Nucci, licensed architect in the state of Connecticut, shared the architectural drawings and plans, as well as a satellite view of the site, with lines drawn on it. Plans are to remove a building and repurpose it into a tenants' community vegetable garden; there are currently three apartments on this site, the applicant is asking for seven units, and currently there are three units that exist; plans are to restore and keep the history of the site, which has been termed a "Carriage House Inspiration," and to retain the most important structure, the Colonial Revival Ledges Building, according to Mr. Nucci. The approach, from the beginning, has been to maintain the location of the current driveway and have a circular parking court for units four, five, six, and seven; there is also a gatehouse building, he stated. The lawn is being retained, and The Ledges building is visible, but the rest of the buildings are not, according to Mr. Nucci. Minor revisions have been submitted; there may be questions about the amount of buildable land, wetlands, and slopes greater than 25 percent, and an independent surveyor was hired to identify places on the site with greater than 25 percent slopes, according to Mr. Nucci. As a result of that study, the garages have been reduced to two single-car garages, as opposed to the original two, two-car garages at the Estate building, according to Mr. Nucci. Every unit has a one-car garage with a parking space, he stated. The Ledges building contains units two and three; it has many features, including beautiful interior mill work, porches, stone walls, the reduction in garages to one-car to meet the coverage requirement of 50 percent maximum, two pediment style entrances, and all of this has been reviewed and approved by ACCA, according to Mr. Nucci. There are two-bedroom units, which do have the option for a first floor bedroom, and a proposed residential elevator option; in unit five, there is a basement with a walk-out opportunity, according to Mr. Nucci. Regarding coverage calculations and bulk standards, Mr. Nucci gave a detailed explanation of the current and completed numbers in square feet, as well as the floor area calculations. When floor area is calculated, the garage is excluded; a maximum of 2,250 square feet in floor area is allowed, and units four, five, six, and seven have a floor area

of 1,962 square feet, which is still under the 2,250 maximum, so there is still enough room for a covered porch, according to Mr. Nucci. All of the new units are under the 2,250 square foot maximum, but at the existing Ledges building the 2,250 square feet does not apply, according to Mr. Nucci, and it is being reduced by removing a nonconforming portion of that building. In conclusion, Mr. Nucci shared a three dimensional model drawing of the proposed development, and stated that the end of the gatehouse structure is the only one visible from the Boston Post Road. John Cunningham of TEC Landscape Design stated that he has worked with Mr. Nucci for a long time; he shared an updated landscape plan, rendered in color, and explained the various features. The garden area did propose setting aside about 1,200 to 1,300 square feet to be proposed lawn, but it is now going to be a rain garden, and it will capture any water, according to Mr. Cunningham; it is 100 feet from the property line and 60 feet from the nearest off-site wetland. The community garden will consist of no more than three, possibly only two raised steel-encased beds. Michael Ott, licensed professional engineer and land surveyor, shared plans that gave an overview of the site, its relation to Birnbaum Lane and Boston Post Road, utilities running from U.S. Route 1, up the driveway, to the carriage house, and removal of the carriage house building, as well as removal of the overhead utilities. He gave the details of the proposed 18-foot width driveway with a three-foot reinforced shoulder on the east side, to accommodate fire apparatus. Mr. Ott also explained that surface water runoff drains to the east and not to neighboring property to the west, stated that utilities will all be underground, and that there have been a lot of questions and concern about the existing water and what happens with the private water service. Connecticut Water Company has records that is is a four-inch tap, but they have no other records of this service or where it is placed; it serves the estate house and the carriage house, Mr. Ott stated. A land records and land deed search found some old mapping and easement agreements from the 1900s, and all of what was found has been submitted to the town and the Connecticut Water Company, according to Mr. Ott. In the proposed development, Mr. Ott stated that they worked with the Connecticut Water Company on how to continue to provide service; a new water main will be installed and constructed, and it will be an eight-inch water main to a point of approximately 400 feet into the site; that new water main will become a Connecticut Water Company main. Service taps will serve the estate building, the three new residences, a connection to serve Bushnell Lane, and two Quarry Road accesses, according to Mr. Ott. Records research, conversations and communications with the Connecticut Water Company, and survey work have all been done; the Connecticut Water Company cannot take any action on the arrangement of the water main, until all of the approvals from the town have been received, and the total cost will be borne by the owner of the property and no one else, Mr. Ott stated. A surveyor was hired who did a full topographic survey, and it is a part of the record, Mr. Ott stated. He then began to discuss and share the storm water management plans, featuring the fact that the site is divided into a northerly catchment area and a southerly catchment area, which Mr. Ott described as sands and gravels with a deep water table. He showed how the storm water and run off will flow across the site and stated that nothing is being changed, with where the current storm water goes. Regarding the wetland off site in the southeast, Mr. Ott stated that they are maintaining the current drainage; to make improvements, they are removing the building and making a community garden, all permeable, and they are removing the driveway. Rain and storm water go into the garden area and the rain garden, according to Mr. Ott. Richard Hosley, Jr., explosives consultant, stated that he is in favor of the application, and for his company, this is an ordinary construction project similar to many projects they have done. He shared a report entitled *A Focus on the Execution and Impact of Blasting on Wetlands and Adjacent Structures at The Ledges, Madison, CT*, and he also presented an executive summary of the geologic features, as well as photographs of current and past projects, from Branford to Lyme to

Stockholm, Sweden. Blasting and rock removal is a temporary disruption, causing noise and dust, but when it is completed, everyone can reflect on a beautiful premises for the future, according to Mr. Hosley. To protect the closest structures and those farther away, explosives experts use the principles of physics, monitoring, and documentation, according to Mr. Hosley. He shared the length, width, and cut square-foot sizes of the rock structures and volumes of rock removal, in cubic yards, that are planned to take place in four areas on The Ledges property, as well, for a total of 407 cubic yards of rock being removed. In addition, Mr. Hosley outlined the amount of hours to do rock drilling and blasting at each of the four areas, as well as the amount of hours that may be required to complete rock drilling and hydraulic hammering. There would be 43 to 47 total hours for rock drilling and blasting and 91 to 130 hours for rock drilling and hydraulic hammering, according to Mr. Hosley. Rock removal area one is the proposed Gateway residence, southeast corner; rock removal area two is the largest area on site to have rock removal, for lowering the driveway and installing the water main; rock removal area three is the proposed forced sewer main trench installation, 12 feet off the east; and rock removal area four is the proposed carriage house, a mass of rock at the southwest corner, according to Mr. Hosley. A third generation explosives engineer, Mr. Hosley stated that The Ledges is not a large rock removal project, and the proposed project can realistically be conducted without causing damage to the Ledges Estate or distant, adjacent properties. Permission was sought for Mr. Ott to describe the septic design, and Chairman Clark agreed. Septic in the front lawn area contains leaching fields and septic tanks, and there is also a leaching field at the end of the estate area, and all of those will be removed, according to Mr. Ott. The proposed septic design has all leaching fields in the front lawn; Mr. Ott also gave the locations of the septic tanks and talked about the pump out structures. The septic systems would be regulated by the local health department, and they are designed to be in compliance with the state public health code, according to Mr. Ott. Soil testing was done with the town health department, and if needed, they will do more, Mr. Ott stated. John Guskowski, certified planner, stated that he was asked by the property owner to review the plans to see if they meet the town of Madison Planning and Zoning Regulations and if the plans advance the town's Plan of Conservation and Development. This application absolutely does meet the town's regulations and advances the goals of the Plan of Conservation and Development, stated Mr. Guskowski, who highlighted the various sections in Madison's Planning and Zoning Regulations that the plans meet, including Section 3.12 Small Cluster Development regulations that were created to advance the goals of the Plan of Conservation and Development and increase development that would be compatible with neighborhood character and supportive of the Madison town center. Mr. Guskowski stated that the plans satisfy the zoning regulations criteria, within the 500-foot area, density coverage, unit size, and maximum number of units; in addition, civil, architectural, and landscape designing have to be put together to meet these requirements. These plans also meet Section 4.4 Special Exception Permit regulations, by satisfying the health, safety, and welfare of the community, according to Mr. Guskowski. This is fundamentally a small scale, modest development, now, going from three units to seven units, and that's a modest increase, Mr. Guskowski stated. In his review, questions and concerns have been diligently responded to, he stated, adding that construction is disruptive, neighbors are daunted by blasting, no one relishes the idea of having trucks back up on property, it is annoying but short term, and this will shape the future of the town for the next 40 to 50 years. Mr. Guskowski encouraged the Planning and Zoning Commission, strongly, to look upon the application favorably. Mr. McKeon stated that he received an eight-page letter from Attorney Keith Ainsworth that day, calling into question the statements and conclusions that Mr. Guskowski just made. Chairman Clark asked if there are any questions from the Planning and Zoning Commission. Vice Chairman James Matteson asked Mr. Hosley whether

the two types of rock removal he mentioned, rock drilling and blasting and the alternative method, rock drilling and hydraulic hammering were either or choices or if both methods could be used at the same time. Mr. Hosley stated that this is not an either or; the site is dynamic, and there are alternatives to rock removal than the ones he mentioned. Vice Chairman Matteson asked if it could be a combination of both, and Mr. Hosley answered in the affirmative. Vice Chairman Matteson asked why the Gatehouse building has to be in its location; Mr. Ott stated that the location of the septic systems and septic tanks play into the location of this building. Commissioners also questioned whether the size of a building could be reduced to accommodate the current topography, instead of removing the rock, and sought clarification on Mr. Hosley not really knowing the rock that is under the driveway. Mr. Ott and Mr. Nucci stated that the plans and design meet all the required separation distances needed, the driveway size accommodates large fire and emergency vehicles, 42" depths have to be met to get below the frost depth in Connecticut, and Mr. Hosley stated that he knows the rock type under the driveway; unless the rock can be seen, they just draw an estimate of rock volume. Chairman Clark stated that the community garden appears to be 450 square feet of garden with two-foot beds, and the use of organics to protect the wetlands; he asked if there is a way to quantify what potential damage could occur if non-organic products were used, or if the garden were fertilized improperly, what would be the potential impact on the wetlands? Mr. Cunningham stated that the entire garden area would be a permeable installation, and in his professional opinion the wetlands would not be impacted by the garden. Chairman Clark stated that he wonders if, instead of a garden, they could create an entire rain garden that, over time, would reduce the potential for an impact on the wetlands. Mr. Cunningham stated that he does not think that the garden is an integral part of the whole project; it is 3,500 square feet; if it does become an entire rain garden, without a (community) garden, that is fine, with him, and he believes, with the team. As a result of a condition imposed by the Inland Wetlands and Watercourses Agency, a letter from Mr. Cunningham imposes that an organic program of fertilization and pesticides be implemented, and that a rain garden be placed prior to the start of the garden, where lawn had been planned, according to Mr. McKeon. Mr. Cunningham makes a good point that if that garden area needs to become a rain garden that people can keep their hands off of, that can be accommodated, and seating can be provided elsewhere, according to Mr. McKeon. At approximately 9:10 p.m., Chairman Clark stated that normally he would ask the public if they have any questions, then he asked Attorney Keith Ainsworth if he would like to make his presentation or have the public ask questions. Mr. Ainsworth stated that the public has waited two hours, and he would want them to speak. Chairman Clark stated that the commission is asking for questions about the application, itself, and he asked to please keep it kind and please keep it simple. Shelley Farmer asked if there is a way to avoid or mitigate what will happen to existing wildlife, such as fox, deer, woodchucks, owls, red tailed hawks, and others, with the disruption of their habitat; there are those that will survive, and others that will not, some will leave and not return. She stated that she has seen nothing to address this dire situation and wants to be assured that the wildlife is protected. Mr. McKeon stated that he has read the letters and, frankly, the criticisms about himself; he, too, enjoys seeing wildlife, but wildlife will be like human life; it presents a momentary inconvenience, and they will, perhaps, go someplace else and return. This site exists on the main thoroughfare; someone could knock down the existing home and rebuild without any permits, Mr. McKeon stated, adding that he believes it is a temporary effect on the wildlife. Mr. Cunningham stated that he has done a lot of large development in town; he referenced one in Madison, on Copse Road, and some owls that were there 25 years ago are still on that lot; a lot of animals are very territorial, and they will make their way back in. David Kadamus, 7 Fence Creek Drive, stated that he wants the blasting converted to work days; he estimated the blasting

would comprise seven to 12 weeks of actual work to complete the blasting and the drilling. Mr. Hosley stated that with 43 to 48 hours of drilling and blasting, and eight-hour days, that would be six days of drilling and blasting, and 91 hours for rock drilling and hydraulic hammering would be 11 days. Those are realistic time fields, which could change on weather conditions, according to Mr. Hosley. Gerry Birnbaum, 9 Bushnell Lane, stated that his main objection is the house in the front, where there is a beautiful streetscape, and he wondered if it could be removed; he stated that he disagrees with ACCA and Mr. McKeon on this structure. Mr. Birnbaum stated that he thinks it doesn't serve any purpose there, he sees it as an eyesore, and he has lived here for 75 years—it is a true eyesore. When there were no other questions from the public, Chairman Clark asked Mr. Ainsworth if he had any other estimates of time, for their presentations; Mr. Ainsworth estimated about 30 minutes for himself, with experts taking 15 to 20 minutes, each, which came to a little over an hour and 15 minutes or an hour and a half. It was approximately 9:24 p.m. That would get to 11 p.m., and the commission still would not be finished with summation and point of view, Chairman Clark stated. He asked if anyone would be willing to put this as the only item on the agenda for the first monthly meeting, June 3, two weeks from now. Director of Planning and Economic Development David Anderson suggested that the public be allowed to speak in favor of or opposed to the application, tonight. Mr. Ainsworth stated that he always tends to defer to people who are waiting, and he could always present at the commission's convenience. Vice Chairman Matteson stated that they have heard several hours from the applicant, and he thinks it is unfair to have people not speak; he stated that he wants to give those folks a chance to speak. Chairman Clark stated that he would ask the public to comment, first, in favor of and, second, opposed to the application; he stated that he is not going to limit anyone on what they say; if they have written a letter there is no need to read the letter into the record, but if they choose to do so, then that is fine; only in the essence of time, he asked to avoid redundancy in statements. John Matthews, architect, 817 Boston Post Road, stated that this parcel has changed over time; in 1821 Madison town hall was located up in the front part of the property; the site has undergone a number of different changes. Mr. Matthews stated that he commends the Planning and Zoning Commission for the zoning regulations they have put in, and he likes the proposed development. This site is almost currently developed, so the idea of there being tons of wildlife on the site is something with which he disagrees, Mr. Matthews stated, adding that he fully supports the project, and he thinks it will be good for the town. John Ford, Middle Beach Road, stated that it is really a creative use of the structure and land; it is appropriate for a small cluster development, it is great for the Madison center, and it's within walking distance to town. Lurree Lupone of 25 Wall Street, stated that she loves living downtown; she is totally in favor of the addition and the great architecture that keeps intact the history of the architectural design of the estate building. Ms. Lupone stated that she asks that they consider the design of the Gatehouse; that it be L shaped, so a portion of the Gatehouse can be seen from the street. It is extraordinary, and Ms. Lupone stated that she knows everyone who lives there will be as happy living in downtown as she is. Chairman Clark asked if anyone wanted to speak in opposition to the application. David Skelly, 516 Horsepond Road, stated that he is a 25-year member of the Yale School of Aquatic Landscaping; he works on suburban environments and how people and aquatics can exist together. Cluster developments are an innovation that is needed, but somehow the town of Madison has moved forward with this concept of cluster developments without ensuring the protection of the environment, specifically in the approaches taken toward storm water management and septic system installations, according to Mr. Skelly. These environments are being polluted by putting in septic systems that are a half of a century old, and the installation of these septic systems are being done using regulations developed in the 1970s, instead of using septic systems that require pre-treatment,

Mr. Skelly stated. The only reason he can figure out why these septic systems are being installed is due to a desire to avoid state oversight of the pre-treatment septic systems, according to Mr. Skelly. This proposed development will have leaching fields with seven residential units of effluent going into it, and Mr. Skelly respectively requested that this application be denied. Steve Bischoff, of 852 Boston Post Road, stated that health is not being protected through this application, nor is safety, as the town Planning and Zoning Regulations require; 3,000 gallons a day of effluent will be flowing into the leaching fields, and that is equivalent to two Olympic sized swimming pools, and he stated that he does not think that is protective of the public's health. In terms of safety, this application does not look to the safety of his family; Mr. Bischoff stated that his house was built in 1812; it has plaster ceilings, and despite everything he has done with the structure, a plaster ceiling once collapsed in a room; he expressed a concern for further damage, through 90 hours of blasting and rock removal. Convenience is also not protected through this application, according to Mr. Bischoff, who stated that he was advised by the fire marshal and two other experts to take down all of his art work and to hire someone for \$300 per hour to monitor the blasting—it would cost him \$5,000 to monitor it, he stated. In terms of property values, Mr. Bischoff stated that he will lose equity for 18 months, during the project's construction, and that is a loss of value. Employees and volunteers must be responsible to the citizens of Madison and not to the developers of Madison, Mr. Bischoff stated. He stated that he would implore the board to hire a third party to get a third opinion on what is right, wrong or indifferent about this project. Laura Downes, 54 Quarry Road, stated she is head of special projects at the Scranton Library, served as head of the Scranton Library construction project, she possesses a master's degree, and for years she worked as a librarian at the Scranton Library. She stated that she and her husband first learned of The Ledges project on Jan. 27th. There are a hundred letters regarding this project, Ms. Downes stated, and she described those who wrote those letters as having various backgrounds, colors of skin, different economic backgrounds, being young and being older, some having grown up in Madison, and others moving to Madison; several times, she stated, "Who are we? We are Madison." Directly to the south of 856 Boston Post Road, Ms. Downes stated that her family purchased a home; they have frontage on a public road, and their house was built on the land owned by the Scranton family; there is a steady stream of wildlife, her mother lives in this town, and they raised three daughters. In 2009, Ms. Downes stated that they purchased .4 acres for \$250,000 from this proposed project's property owner, and they purchased that parcel so she could not subdivide it; that brought her property down to a level where it could not be developed, until the Planning and Zoning Commission changed the zoning regulations. Denial for this project could be based on a general reason, according to Ms. Downes. If the current property owner of 856 Boston Post Road wanted to have 11 chickens on her property, she could not, but she might be able to add 20 bedrooms and 20 cars to this neighborhood, Ms. Downes stated. While the structures being proposed cannot be seen from the Boston Post Road, Ms. Downes stated that they will be in her front yard and her backyard; every day, they will stare at the 40-foot heights of these buildings, and these duplexes will stand 30 feet from her land. Renovations are required to be built at a human scale, and the Planning and Zoning Commission is required to respect that, Ms. Downes stated, adding the use of her property will be permanently injured. Please deny this application, she stated. James Farmer of 64 Quarry Ledge is a next door neighbor and stated that for 25 years he has lived in the southwest corner of the property; the private water main line was installed in the 1800s; it is a four-inch cast iron line, and it is very fragile. It is clear that if that project goes forward, this line will cease to exist, Mr. Farmer stated. In speaking to a Connecticut Water Company official, Mr. Farmer stated that he learned that the Connecticut Water Company official has not seen anything about this project since January. There is no provision for water for 64 Quarry Ledge, according

to Mr. Farmer, and he stated that the Connecticut Water Company official stated that they do not approve the proposed plan to supply water to the Downses. Mr. Farmer stated that he is submitting their deed and easement over 850 Boston Post Road, and they request that the applicant cannot destroy their water system and that they assure there is a water system. Anybody who suggests this project, in the rear, will enhance property values is drinking from the wrong cup, according to Mr. Farmer. He asked the Planning and Zoning Commission to read the letters, which have been well written and are very thoughtful. With this question of their water and the behemoth buildings that will be directly on their border, Mr. Farmer stated that, if the commission moves forward with this project, it will be doing irreparable damage to the town of Madison. Jane Zennario of 852 Boston Post Road stated that she lives right next door to Ms. (Faith) Whitehead and The Ledges. In 2019, they bought their home, and they were told they are in an R-2 zone, she stated. There, they found space between the houses and nice, landscaped homes, as well as Birnbaum Lane, where people walk, Ms. Zennario stated. If this project is approved, it would create an external obsolescence; it is the loss of value, she stated. Regarding reports from real estate appraisers, they have to cite the precondition sale and the after condition sale, according to Ms. Zennario. There will be no negative impact of noise, traffic, and light pollution, with 20 bedrooms and 20 parking spaces, she stated, adding that if visitors arrive and find no place to park at The Ledges, well, they'll just park on Birnbaum Lane. This project contributes to the external obsolescence of the character of this village, Ms. Zennario stated. They thought R-2 zoning meant something, but right now, it means nothing, she stated. William Downes of 54 Quarry Ledge discussed the water line, stating that Mr. Ott presents a reconnection of the water line to his property, on a shared water line, and indicates it will be replaced by a Connecticut Water Company water main. In conversation with the Connecticut Water Company, this week, Mr. Downes stated that taking a four-inch line to reconnect to his four-inch line would not be approved; the Connecticut Water Company would not allow a shared line to be attached. Connecticut Water Company approval of a project should be done before there is Planning and Zoning Commission approval, according to Mr. Downes, who stated that he does not see how this application can be approved, without the Connecticut Water Company signing off on a plan. Robin Phillips of 880 Boston Post Road stated that he wanted to comment on the amount of blasting being proposed. He stated that he was amazed and horrified by the amount of blasting proposed, consisting of 407 cubic yards, which weigh 980 tons, which equates to 930 elephants in weight, and 30 to 40 school bus loads of blasted rock. This is not a minor rock removal project, as Mr. Hosley states, by any stretch of the imagination, Mr. Phillips stated. This is a specious statement; the data simply do not exist, he stated. Respectfully, Mr. Phillips stated that the Planning and Zoning Commission should reject the conclusion in this report. Joseph Maco of 22 Randy Drive wanted to speak in opposition to the project. It is not justifiable for the location; a quarter of a mile away, there is The General's Residence, which was just approved by the Planning and Zoning Commission, and no one knows how that will turn out, Mr. Maco stated. He asked for reconsideration of this project and stated that he has been here 45 years. He loves this town; he loves the people, here, and don't change it, Mr. Maco stated. Susan Geiseheimer of 14 Middle Beach Road stated that she's owned a house in Madison since 1983, and she is opposed to this plan. Ms. Geiseheimer urged the Planning and Zoning Commission to do as much as it can and to do what it can, to get cluster housing at Island Avenue School and Academy School. Margaret Zambarano, of 870 Boston Post Road, right next door to the project, stated that she has lived in Madison for 40 years, brought up four children through the school system, and she knows the responsibility that the Planning and Zoning Commission has, and this is not a trial. The Zambarano residence is 116 years old, and it was once a 40-acre sheep farm that went right down to the water, according to Ms. Zambarano.

The Ledges was built in 1903, and nothing has changed there since 1903, Ms. Zambarano stated. Her walls are plaster, and she has wavy glass in the windows; she is very worried about the risk to her house from this blasting, Ms. Zambarano stated. It is not just the blasting, it is the rumbling of the trucks, sounds of the blasts, and the vibrations that will destroy her basement; she stated that she has Ledges rock in her basement and foundation, as well as stone walls. Blasting is going to be feet from her door, Ms. Zambarano stated, and she expressed a concern about permitting blasting through the rock that is in her basement. This application is a pretty picture to a sell to a developer, Ms. Zambarano stated. It is simply a backyard build, where her lane and the neighborhood will suffer collateral damage, according to Ms. Zambarano. She wondered why there are regulations, if everything becomes a special exception. Ms. Zambarano stated that she is concerned for her own welfare and the value of her property. She asked what is under that old garage in the rear, besides an oil tank, and where it will be made permeable? No one will know, until that building is torn down, according to Ms. Zambarano. At approximately 10:24 p.m., and no more comments from the public, Chairman Clark stated that this would be a good time to break off.

Commissioner Thomas Burland made the motion to continue the hearing for 856 Boston Post Road until June 3, 2021; it was seconded by Vice Chairman Matteson and unanimously approved.

Vote to continue the public hearing for 856 Boston Post Road passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Elliott Hitchcock and Commissioners John K. Mathers, Giselle Mcdowall, Seonaid Hay, Joseph Bunovsky, Jr., Thomas Burland, and Peter Roos.

OPPOSED: None.

ABSTAINED: None.

REGULAR MEETING ITEMS:

21-07. 30 Toffee Lane. Map 13 Lot 118 R-5 District. Owner: Mario Luciani; Applicant: Mario Luciani. Coastal Site Plan Review for construction of 6' x 24'-6 deck.

Director of Planning and Economic Development David Anderson shared the plans; there is an existing bulkhead. The state Department of Energy and Environmental Protection (DEEP) found no potential for adverse impact to coastal resources, he stated, but it recommended a condition that they install appropriate erosion controls.

Commissioner Hay made the motion to approve 30 Toffee Lane, with the condition of installing appropriate erosion controls; it was seconded by Vice Chairman Matteson and unanimously approved.

Vote to approve 30 Toffee Lane with condition, passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Hitchcock and Commissioners Mathers, Mcdowall, Hay, Bunovsky, Burland, and Roos.

OPPOSED: None.

ABSTAINED: None.

21-08. 42 Pleasant View Avenue. Map 24 Lot 223 R-3 District. Owners/Applicants: John and Laura Hardy. Lot Line Revision.

This is a lot line revision, stated Mr. Anderson; this was a previously approved subdivision, but the applicants wanted to amend the boundary line. Mr. Anderson stated that he recommends approval. Professional Engineer Michael Ott agreed.

Vice Chairman Matteson made the motion to approve 42 Pleasant View Avenue; it was seconded by Commissioner Mcdowall and unanimously approved

Vote to approve 42 Pleasant View Avenue, passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Hitchcock and Commissioners Mathers, Mcdowall, Hay, Bunovsky, Burland, and Roos.

OPPOSED: None.

ABSTAINED: None.

21-09. 250 Samson Rock Drive. Map 38 Lot 51. R-2 District. Owner: Bank of America; Applicant: Andrew Rainone, Horton Group, LLC. Special Exception Permit Modification for work being to existing drive up teller lane by removing tube system and place an automatic teller machine in its place, additional security lighting will be installed.

Director of Planning and Economic Development David Anderson stated that this came before the Advisory Committee on Community Appearance (ACCA), and ACCA has asked that the proposed parking lot lighting not be approved. ACCA has asked for approval only of the drive-through lighting and the lighting under the canopy, Mr. Anderson stated. Andrew Rainone of The Horton Group shared the plans for the Bank of American automatic teller machine (ATM) and additional lighting. It showed the demolition plan of the existing drive through island, and he stated that the tube system will be removed. The island will be widened to accommodate the new ATM; there will be no change in traffic and there will be a new stop bar, according to Mr. Rainone. He showed two new light poles near the island, as well as the canopy lighting details. Josh Waggoner of GMP, who does the lighting for Bank of America, gave all of the lighting details, along with the number of foot candles and how much light would be thrown off. All of the fixtures are full cut-off fixtures, he stated. After a few questions from the commissioners, Mr. Anderson stated that the commission should just approve the drive-through and canopy lighting, but not the other lights, in accordance with ACCA; the brightness of the site was ACCA's concern. Plus, one lighting pole would be 19 feet tall, in an area with private residences, according to Mr. Anderson, who stated that the commissioners might find it beneficial to drive by the site to take a look. There is enough ambient lighting, Chairman Clark stated; it is not a dark area, by virtue of where it is located, and there is plenty of light, very secure for the existing ATM. Commissioners Mathers stated that he is just a little hesitant, when just a year ago the Planning and Zoning Commission had the Dark Skies presentation by the Daniel Hand High School students. He stated that he would like to drive by the site, before he votes. Commissioners Roos and Burland agreed. Mr. Waggoner stated that he does not think Bank of America would move forward with the project without its suggested lighting—they would possibly review it and move forward with a new plan, or they may decide not to install the ATM. Chairman Clark asked that the matter be tabled until the third Thursday in June.

Commissioner Mathers made the motion to table 250 Samson Rock Drive until June 17,
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2021; it was seconded by Secretary Hitchcock and unanimously approved

Vote to table 250 Samson Rock Drive to June 17, 2021, passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Hitchcock and Commissioners Mathers, Mcdowall, Hay, Bunovsky, Burland, and Roos.

OPPOSED: None.

ABSTAINED: None.

APPROVAL OF MINUTES: Regular Meeting – April 15, 2021. Tabled.
Planning Meeting – May 6, 2021. Tabled.

REMARKS: Commission Chair ~ Chairman Clark stated that he was as stunned, as all were, to hear the news about Director of Planning and Economic Development David Anderson leaving; he thanked Mr. Anderson for all he has done for the Planning and Zoning Commission. June 18, 2021 will be Mr. Anderson's last day with the town of Madison.

Director of Planning & Economic Development ~ Mr. Anderson stated that he would say more, but not this evening.

ADJOURNMENT:

Commissioner Mathers made the motion to adjourn at 11:05 p.m.; it was seconded by Commissioner Bunovsky and unanimously approved.

Vote to adjourn at 11:05 p.m. passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Hitchcock and Commissioners Mathers, Mcdowall, Hay, Bunovsky, Burland, and Roos.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Marlene H. Kennedy, clerk