



# **Redding Zoning Commission – Meeting Minutes**

## **Date: October 24, 2001**

### **Town of Redding, Connecticut**

8:30 P.M. – Town Hall Hearing Room  
100 Hill Road

Present: Frank Taylor, Chairman; Ben Gordon, Secretary; Commissioner Hugh Karraker; Alternate Laurie Richardson, seated for Gerry Casiello and Alternate Carey Rielly seated for Marshall Sanford

#### **REGULAR MEETING:**

On motion of Mr. Gordon, second of Mr. Karraker approval was unanimous to have Alternate Laurie Richardson, seated for Gerry Casiello and Alternate Carey Rielly seated for Marshal Sanford.

1. Approval of Minutes – regular meeting of 10-10-01.
  - Joanna MacKenzie, 203 Redding Road: application for Special Use Permit for earth moving in excess of 300 cubic yards of material. To receive and set hearing date.
  - New Pond Farm Education Center, 101 Marchant Road: discussion of allowed vs. Special Uses for property
  - Joel Barlow High School, 100 Black Rock Turnpike: discussion regarding non-compliance with conditions of approval for Special Use Permit.
  - Burrirt Property Development, 33 Lonetown Road: discussion regarding non-compliance with environmental standards

On motion of Mr. Gordon and second of Ms. Rielly, the Commission voted unanimously to accept the minutes of October 10, 2001.

2. Jay Aaron request for discussion of height regulations as they apply to walkout basements. Mr. Aaron was not present.

3. New Pond Farm Education Center, 101 Marchant Road: continuation of discussion re: clarification as to which activities and what criteria require Special Permits. Mr. Taylor noted there should be no further discussion at this time since the Special Permit which was requested in 1993 covering the number of fairs and activities at the site was approved as requested at that time. Permit issued in 1993 covers their activities and there was no limitation in that Permit, as issued, on size or scope of membership.

4. Burrirt Property Development, 33 Lonetown Road: discussion as to plan being implemented to address erosion and sediment issues. Michael Cardillo, Building Committee Chairman invited to the meeting to answer questions Frank Mercede & Sons representative, Chris Onofrio, Senior V.P. Construction. Mr. Onofrio declared that K& W is doing site work and that 2/3 of the area has been paved. Rain delayed the

# Redding Zoning Commission – Meeting Minutes

**Date: Oct 24, 2001**

third area from being completed. This is an ongoing, changing site. He noted that the design issues should have been addressed up front. Mr. Taylor asked what would happen to the dirt piles if there should be a serious rainstorm. Mr. Onofrio responded that they had a plan to follow which is not adequate. Mr. Taylor said that our concern is that execution of plan has not resulted in protection of site in preventing materials from eroding offsite into Bridgeport Hydraulic water supply. Town has received several notices from State DEP. Mr. Taylor noted that the silt fence will not stop flow from going through. It needs to be towed in, double-staked, hay bail-staked and done right or there will be problems. Mr. Cardillo noted that drains and swales have not been installed, as yet. Mr. Taylor said if there is another event offsite Mercede will be shut down and there will be someone else brought in to do the work and do it right. Mr. Onofrio said that the paving is expected to be completed by November 5, or thereabouts which should solve this problem.

5. Michael Reopel, 1 Cricklewood Road: discussion of lack of effective screening on the southern portion of Turney Road associated with the expansion of Joel Barlow High School. Mr. Reopel asked that the Zoning Commission make a determination as to the effectiveness of the buffer and screening system along south Turney Road and in particular lighting at the parking lot and soccer fields. Fairly soon, when the parking lot is operational, will be a good time to be sure there is effective screening rather than two years down the road. White Pine trees would create an effective and inexpensive buffer. Mr. Casiello suggested that it would be better to wait until spring to act on this. Mr. Reopel replied that what concerns him is that there is nothing in the plans to say that there will be a buffer zone provided. Mr. Taylor noted that there may be a need for additional screening if the Commission deems it necessary. Determination cannot be made until the job is completed.

6. Discussion of definition of “expansion vs. intensification” and possible zoning text amendment and the amendments that were done in Easton which you should all have received copies of about three months ago. There were rather substantive changes in the State Statutes in 2000 and 2001. The enabling Statute which allows us to create Zoning Regulations used to say you could put things in your Regulations to ultimately try and drive conformity. It now reads: “Such Regulations shall not prohibit the continuance of any non-conforming use building or structure existing at the time of the adoption of such Regulations.” Such Regulations shall not provide for the termination of any non-conforming use solely as the result of non-use for specified period of time without regard to the intent of the property owner to maintain that use.” Easton amended their Regulations to change all their information dealing with non-conformance. Ours are not quite as onerous as Easton’s appear to have been. Looking at the material Mr. Casiello has sent out to all of us there are a number of provisions that look like they might be appropriate for us to consider which were highlighted by him as well. The drive for conformity with continually changing Regulations has changed. Intensification doesn’t change the use and wouldn’t require review but expansion would require review. Since there are some reasonable limitations on expansion, when can expansion be permitted?

You can’t expand beyond the limits of your building. An example of intensification within the context of pre-existing, non-conforming use would be the Spinning Wheel Restaurant. It was decided to table discussion for Mr. Casiello’s participation and have him craft something for the next meeting.

## 7. Communication/Correspondence.

We have received a three-volume application from NUSCO (Northeast Utilities Service Company) to be filed on or about October 15, 2001, with the Connecticut Siting Council. The application requests the issuance of a Certificate of Environmental Compatibility and Public Need with respect to the construction of a 345-kV electric transmission and reconstruction of an existing 115-kV electric transmission line along an existing right of way route extending approximately twenty miles in the municipalities of Bethel,

# **Redding Zoning Commission – Meeting Minutes**

**Date: Oct 24, 2001**

Redding, Weston, Wilton and Norwalk. The application also requestes that this certificate cover modifications to Plumtree Substation in Bethel and Norwalk Substation in Norwalk. Redding is well represented in this activity. Carey agreed to review these volumes to provide report for the next meeting.

## **8. Future Agenda Items.**

Joanna MacKenzie – 203 Redding Road – riding rink

Continue discussion of definition of “expansion vs. intensification” and possible zoning text amendment.

NUSCO report by Carey.Rielly.

## **9. Adjournment.**

Move to adjourn by Mr. Gordon, seconded by Mr. Karraker was unanimously approved. Meeting adjourned at 9:50 P.M.