



# PLANNING & ZONING COMMISSION

Bethel Municipal Center  
1 School Street, Bethel  
Connecticut 06801  
(203) 794-8578

## PLANNING & ZONING COMMISSION MINUTES

May 10<sup>th</sup>, 2016

BETHEL MUNICIPAL CENTER  
DENIS J RIORDAN – ROOM D 7:00PM

P. Rist, Chairwoman, called the meeting to order at 7:01 p.m.

### PUBLIC HEARINGS CONTINUED:

CARRUTHERS/ 7 VERA DRIVE/ ACCESSORY APARTMENT/ SPECIAL PERMIT

K. Grant read the Legal Notice.

R. Legnard read the Staff Report by B. Cavagna, Interim Planning & Zoning Official, dated 5/4/16.

P. Rist opened the public hearing. T. Carruthers, property owner was present for the application. Mr. Carruthers requested a special permit approval to allow an accessory apartment on the ground floor of a single family dwelling. The property is located in the residential R-10 Zone and served by public sewer and water. The total existing living area of the dwelling is 2,013 s.f. while the accessory apartment is 835 s.f. or 42% of the total living area. Although the size of the apartment is less than the 900 s.f. permitted, it is in excess of the 25% limit of the total living area. The regulations, however, allow the Commission flexibility to look at the particular circumstances and waive the size requirements. The apartment is connected to the main dwelling with an interior stairwell and a separate access from the apartment exterior. Mr. Carruthers stated that his elderly mother, who requires around the clock care will reside in the apartment and he provide the accompanying required affidavit.

No one spoke.

P. Rist closed the public hearing.

J. Hancock was seated for J. Lennon

### BUSINESS MEETING

Commission members present:: P. Rist, Chairwoman, R.Legnard, K.Parsons, J.Hancock, K.Grant, R.Tibbitts, B. Cavagna, Interim Planning & Zoning Official.

### MINUTES

Motion by K. Grant seconded by R. Legnard to accept minutes of the 4/12/16 and 4/27/16 meeting. Motion passed unanimously.

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2016 MAY 12 A 10:45

TOWN OF BETHEL  
TOWN CLERK

## **INVOICES**

Motion by B. Legnard seconded by R. Tibbitts to pay Invoices in the amount of \$1499.44 to Danbury News-Times for Legal Noticing and \$2,000.00 to Planimetrics for services rendered. Motion passed unanimously.

## **NEW BUSINESS:**

DR. JAMES HATT/LONG MEADOW LANE/SPECIAL PERMIT/REAR LOT.

Motion by K. Grant, seconded by R. Legnard to accept the application , set a public hearing date for 6/28/16 at 7:00 p.m. and refer out to appropriate departments.

Motion passed unanimously.

## **WORK SESSION**

CARRUTHERS/7 VERA DRIVE/ACCESSORY APARTMENT/SPECIAL PERMIT

Motion by R. Legnard, seconded by K. Grant to approve a Special Permit application under Section 3.3D and 3.6.C of the zoning regulations for an accessory apartment on property located at 7 Vera Drive, Assessors Map 08, Block 24, Lot 005-3, owned by Tom Carruthers subject to stipulations 1 through 7.

In granting this approval the Planning & Zoning Commission states that the proposed project is in substantial conformance with the zoning regulations and the 2007 Plan of Conservation and Development in the Town of Bethel, and that the accessory apartment will not have a detrimental effect on neighboring properties or in the development of the surrounding district.

Motion approved unanimously.

JAMES MACNICHOLL/49 BENEDICT ROAD/SUBDIVISION 2 LOTS

The applicant submitted a request dated 5/2/16 for extension of subdivision approval for 65 days Motion by R. Legnard, seconded by R. Tibbitts to approve an extension of subdivision approval to July 1<sup>st</sup>, 2016.

Motion approved unanimously..

## **CORRESPONDENCE**

14 Depot Place – Request for interpretation of regulations

Letter from Attorney P. Olson, Land Use & Conservation Counsel dated 5/4/16 regarding interpretation of the zoning regulations which allow a property owner to include the land area of adjacent streets when calculating density requirements.

11 Stony Hill Road – Request for extension.

Letter from Attorney P. Olson, Land Use & Conservation Counsel dated 5/4/16 requesting to extend the time to commence construction through and including June 8<sup>th</sup> 2017 and grant property owner until same date to record the special permit on the land records.

Motion by R. Legnard, seconded by K. Grant to extend commencement of construction and filing date through June 8<sup>th</sup>, 2017  
Motion passed unanimously.

Motion by K. Grant seconded by R. Tibbitts to add to Agenda:  
CONCEPTUAL PLAN/ 75 ½ WOOSTER STREET  
Motion approved unanimously.

Dainius Virbickas, Artel Engineering reviewed with the Commission a conceptual plan for development of a site at 75 ½ Wooster Street development of a site.

#### Subdivision Regulations

B. Cavagna notified the Commission members that G. Chalder, Planametrics, will attend the next meeting on 5/24/16 to review Subdivision Regulations with them.

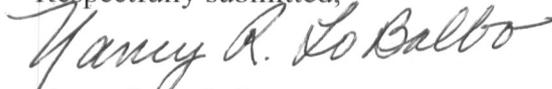
#### TOD Plan & Regulations:

The Commission held a brief discussion of public comments made at the Public Hearing on 4/27/14 at 7:00 p.m..

11 Henry Street – Due to the fact that plans are currently under revision, the Public Hearing for this item has been moved forward from 5/24/16 to 6/14/16.

Motion to adjourn at 8:15 by K. Grant, seconded by R. Legnard  
Motion passed unanimously.

Respectfully submitted,



Nancy R. LoBalbo  
Recording Secretary