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## **REPORT OF THE REFERRALS COMMITTEE**

May 28, 2009

Committee Chairman Jack Halpert called the Wednesday, May 27, 2009 Referrals Committee meeting to order at 2:30 p.m. Also in attendance were Committee members Mr. Robert Byrnes, Mr. John Marr, Mr. Paul Settelmeyer, Mr. Nathan Snyder, Mr. Michael Stashower and Dr. Margaret Wirtenberg. Floyd Lapp, Executive Director, and Benjamin Henson, Regional Planner of SWRPA were also present. The Committee recommends the following actions related to the referrals reviewed at the meeting which was adjourned at 3:16 p.m.:

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### **Referral No. 09-23 – PoCD Update, Greenwich**

**Referrer:** Greenwich Planning & Zoning – Land Use Department  
**Applicant:** Greenwich Planning & Zoning – Land Use Department

**Received:** May 19, 2009  
**Hearing:** June 1, 2009  
**Contact:** Diane Fox  
**Authority:** 22a-102

SWRPA letter of support attached.

### **Referral No. 09-24 – Text Amendment, Zoning Regulations, Easton**

**Referrer:** Easton Planning & Zoning Commission  
**Applicant:** Easton Planning & Zoning Commission

**Received:** May 21, 2009  
**Hearing:** June 22, 2009  
**Contact:** Robert Maquat  
**Authority:** 8-3b

**Proposal:** Amendments to Article 5, Section 5.6, Signs of the Easton Zoning Regulations:

**Description:** The stated purpose of the amendments is to clarify the permissibility of certain types of public interest signs and to authorize a limited number of signs relevant to special civic events. Text to be added is underlined. Text to be removed is stricken-through:

#### 5.6.2 Standards Governing All Signs

(j.) Except as provided in Sections 5.6.3 and 5.6.4 of these Regulations, there shall be not more than one sign, per each event or authorized use, on any single lot or premises; however, the Commission may, on special application, authorize a single additional sign where it deems public convenience or necessity requires such. If an additional sign is authorized the Commission shall prescribe appropriate conditions on size, design and location of the sign to protect the character of the neighborhood.

#### 5.6.4 Signs Permissible By Sign Permit

~~(d.) Temporary advocacy or directional signs relating to a special event of short duration, such as a public election or referendum, a church fair, an auction, a permitted sale or carnival for a civic organization, a tag sale, or other public event, signs not illuminated, one face only per sign not more than two faces per sign, each sign not over one and one-half (1.5) square feet in face area (12' x 18'), provided however, that the number, duration and approximate locations of such signs shall require advance approval by the Planning and Zoning Commission and such signs shall be removed within 48 hours after completion of the referenced event. not more than one sign per lot; provided each such sign shall required the written consent of the property owner and shall be removed not later than 48 hours after the scheduled election or referendum.~~

(e.) Temporary signs(s), not more than six (6) in total number, which relate to a scheduled, privately-sponsored civic event planned to occur in Easton, such as a church fair, a benefit auction or tag sale, a social or sporting event, a carnival or event to support a public service organization, an art show or cultural event, and the like; provided each such sign shall be limited in face area on each side to not more than three (3) square feet (18' x 24'), shall require the written consent of the property owner, and shall be removed within 48 hours after conclusion of the referenced event.

(f.) A proposal for one or more signs for any purpose, which proposes to exceed the limits imposed by the foregoing sections, may be submitted to the Planning and Zoning Commission in the form of a Special Permit application as provided in Section 7.2.1 of these regulations. Before granting such application the Commission shall find that the process sign or signs fulfill an essential public purpose and meet the standards of Sections 7.2.1 A., B. and C.

**Staff Comments & Recommendation:** The proposed amendments affect the requirements of select temporary signs erected in Easton. The changes do not have any direct impact on land use or development. No inter-municipal impacts are anticipated as a result of the adoption of the proposed changes.

#### **Referral No. 09-25 – Text Amendment, Zoning Regulations, Ridgefield**

**Referrer:** Ridgefield Planning & Zoning Commission

**Applicant:** Ridgefield Planning & Zoning Commission

**Received:** May 26, 2009

**Hearing:** June 23, 2009

**Contact:** Betty Brosius

**Authority:** 8-3b

**Proposal:** Amendments to Section 8.1C(1) – Nonconforming Lots of the Ridgefield Zoning Regulations:

**Description:** The stated purpose of the amendments is to allow lots or portions of lots that do not meet existing area, shape, frontage, etc. zoning requirements to be used as a legal lot, due to a specific set of circumstances pertaining to the land's conveyance and record of conveyance. In this instance, land was conveyed, but a deed was not recorded. The changes also pertain to land distributed as part of an estate.. Text to be added is underlined. Text to be removed is stricken-through:

A lawfully existing parcel of land ~~separately recorded by deed in the office of the town clerk in~~ separate ownership from abutting lots or parcels on a deed recorded in the land records, and including a parcel of land which became a separate lot after the conveyance by a grantor and the recording of a deed for part of a pre-existing lot or parcel, where both the conveyed and the remaining parcels conformed to the zoning regulations when the conveyance occurred, prior to the effective date of these Regulations or any amendment hereto or any zoning change which fails to meet the area, shape, or frontage or any other applicable requirements of these regulations pertaining to lots, may be used as a lot and a building or other structure may be constructed, reconstructed, enlarged, moved, or structurally altered thereon, provided that the building, structure, or any extension thereof, complies with all applicable requirements of these regulations as of the date of the application for a zoning permit for any such improvement. This provision shall also apply to the distribution of parcels of land from an estate as evidenced by a recorded certificate of distribution or devise from the probate court where the lots conformed to the zoning regulations at the time the certificate was recorded.

**Staff Comments & Recommendation:** The proposed changes have the affect of permitting a certain type of non-conforming lot to be used as a conforming lot and developed as such. The language states that such lots: *"...may be used as a lot and a building or other structure may be constructed, reconstructed, enlarged, moved, or structurally altered thereon, provided that the building, structure, or any extension thereof, complies with all applicable requirements of these regulations..."* It is not clear how many lots in the Town would be affected by these changes. SWRPA is unable to determine whether inter-municipal impacts are anticipated as a result of the adoption of the proposed changes, but recommends notification be sent to Wilton of this proposal.

**Referral No. 09-26 – Text Amendment, Zoning Regulations, Norwalk**

**Referrer:** Norwalk Zoning Commission

**Applicant:** Norwalk Zoning Commission

**Received:** May 26, 2009

**Hearing:** July 15, 2009

**Contact:** Dori Wilson

**Authority:** 8-3b

**Proposal:** Amendments to Articles 111 and 140 of the Norwalk Building Zone Regulations:

**Description:** The stated purpose of the amendments is to increase the Village District application fee from \$1,000 to \$1,500 to cover the cost of hiring a village district consultant to review the applications. The changes are proposed to three separate, but identical subsections of the Norwalk Building Zone Regulations. Text to be added is underlined. Text to be removed is stricken-through:

Article 111, Section 118-1110 Coastal Zone, subsection (B)(2)(c)

Where required by these regulations, an application for village district design review shall be filed with the staff and accompanied by a filing fee of one thousand and five hundred dollars (\$1,500) ~~one thousand dollars (\$1,000)~~. The Commission shall refer such application to its Village District Consultant to review for compliance with applicable design guidelines. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision. Such fee shall be used by the Commission compensated the village district consultant; any unused balance shall be returned to the applicant.

Article 140, Administration & Enforcement, Section 118-1450 Special permits, subsection (B) General Procedure

Where required by these regulations, an application for village district design review shall be filed with the staff and accompanied by a filing fee of one thousand and five hundred dollars (\$1,500) ~~one thousand dollars (\$1,000)~~. The Commission shall refer such application to its Village District Consultant to review for compliance with applicable design guidelines. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision. Such fee shall be used by the Commission compensated the village district consultant; any unused balance shall be returned to the applicant.

Article 140, Section 118-1451 Site Plan Review, subsection (B) General Procedure

Where required by these regulations, an application for village district design review shall be filed with the staff and accompanied by a filing fee of one thousand and five hundred dollars (\$1,500) ~~one thousand dollars (\$1,000)~~. The Commission shall refer such application to its Village District Consultant to review for compliance with applicable design guidelines. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision. Such fee shall be used by the Commission compensated the village district consultant; any unused balance shall be returned to the applicant.

**Staff Comments & Recommendation:** The proposed change to the Building Zone Regulations is clerical in nature and will not affect development patterns in any way. No inter-municipal impacts are anticipated.

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<sup>1</sup> SWRPA comments are advisory in nature and are meant to augment the referring community's own analysis of the application and in no way serve as a substitute. Whereas SWRPA comments evaluate conformity with the Regional Plan of Conservation & Development and may include additional observations, final recommendations of 'recommends Approval' or 'does not recommend Approval' are based exclusively on SWRPA's determination of whether or not inter-municipal impacts are anticipated.