

MINUTES  
PLANNING COMMISSION SPECIAL MEETING  
SEPTEMBER 23, 2008 – 6:15 P.M.  
TOWN HALL ANNEX-COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Roper, Sherrard, Steinford  
Alternate members present: Fitzgerald, Kane (7:03 p.m.)  
Staff present: Cullen, Davis, Murphy, Gilot

Chairman Sherrard opened the meeting at 6:20 p.m. with roll call.

II. OLD BUSINESS

1. Zoning Commission referral for September 3, 2008 public hearing (continued to October 1, 2008) (Special Permit #307, 0 Sandy Hollow Road, Precious Memories Preschool, Applicant)

Staff noted that a memorandum from Attorney Carey in response to Attorney Cody's letter of 8/12/08 was received by the Planning Department today. Staff faxed the memorandum to Attorney Cody.

Chairman Sherrard read into the record a statement in response to Atty. Cody's letter, which stated that he can effectively and properly review and vote on this referral.

Roper also read into the record a statement responding to Atty. Cody's letter, which stated that he is able to fairly and without bias act on this referral.

Staff explained the changes from the original plan, including moving the building, parking, etc. to the west and the parking and playground have been flipped to move the playground away from I-95. A secondary emergency access lane has been added, and the parking and landscaping have been improved. The facility will have a maximum of 96 students and 18 full-time staff. The proposed building will be about 6,000 s.f., which is a reduction of approximately one third from the original proposal. Staff said the utilities and traffic analysis are based on fewer students and teachers. The third party analysis of the traffic report agreed with the original traffic report that there would be no traffic impacts at the intersections during peak hours. There would be increased volume, but not impact to the level of service. Staff noted that the Zoning Commission's public hearing was continued to Wednesday, October 1<sup>st</sup>. While there is a project under consideration by the State Department of Transportation to redesign the I-95 ramps and the intersection of Allyn Street and Sandy Hollow Road, that should not be considered for this application. The design of the intersection was discussed. Staff said the special permit application does not involve detailed site design issues; those would be considered if there is a site plan application submitted. The Commission discussed whether the proposed project would be in harmony with the orderly development of the district, the effect on adjacent uses, and the effect on the traffic in the neighborhood. The play area has been located away from the residential area. Staff said that there is no distinction between public noise or private noise whether from schools or daycare centers. The noise from I-95 and its potential effects on children, or a single family development in the same area, was discussed. The placement of the playground, away from the highway, was reviewed. Staff detailed the peak hours and trip generations for peak hours and delay times for the intersection of Allyn Street and Sandy Hollow Road.

Kane arrived at 7:03 p.m.

The Commission reviewed their concerns regarding traffic and the safety at the Sandy Hollow/Allyn Street intersection, the effects on the scenic road, noise from I-95, vehicular traffic, the health and welfare of the children, the expansion of a commercial use into a residential neighborhood, the zoning regulations allowing a daycare as a permitted use in this location, and the Planning Commission's role in the referral.

**MOTION:** To table the Zoning Commission referral for Special Permit #307 for Precious Memories, Sandy Hollow Road, to after the regular meeting tonight.

Motion made by Sherrard, seconded by Roper.

Munn moved to amend the motion to continue the special meeting until immediately after the regular meeting. Roper seconded the motion to amend. Amended motion passed unanimously. (Time 7:20 p.m.)

Following the conclusion of the regular meeting, the special meeting reconvened at 9:39 p.m.

Chairman Sherrard recommended sending a comment to the Zoning Commission, making it clear that he was not recommending against or for the special permit, but a report of the Commission's concerns that should be considered. The Chairman reminded the Commission that this referral is only advisory, and would not affect the voting for the Zoning Commission.

**MOTION:** The Planning Commission is not recommending for or against, but has the following concerns in regard to Special Permit #307, 0 Sandy Hollow Road, Precious Memories Preschool, Applicant.

1. Its harmony with the existing residential properties by the extension of commercial development;
2. Increased site traffic, related traffic noise, and pedestrian safety on existing streets (as there are no sidewalks on Sandy Hollow or Pequot for pedestrian safety)
3. The degradation of the scenic road designation by added commercial development.
4. The potential impact of I-95 vehicular noise on daycare children.

Motion made by Sherrard, seconded by Roper.

Discussion on the motion proceeded, with members Pritchard and Steinfeld raising objections.

Motion amended by Sherrard to change "commercial" to "institutional".

**MOTION:** The Planning Commission is not recommending for or against, but has the following concerns in regard to Special Permit #307, proposed child daycare facility.

1. Its harmony with the existing residential properties by the extension of institutional development.
2. Increased site traffic, related traffic noise, and pedestrian safety on existing streets (as there are no sidewalks on Sandy Hollow Road or Pequot Ave. for pedestrian safety).
3. The degradation of the scenic road designation by added institutional development.
4. Potential impact of I-95 vehicular noise on a daycare children.

Motion made by Sherrard, seconded by Roper. Motion passes 3 in favor, 2 opposed (Pritchard, Steinfeld).

Motion to adjourn at 10:02 p.m. made by Roper, seconded by Pritchard, so voted unanimously.

Respectfully submitted,

Jeffrey Pritchard, Secretary  
Planning Commission

Prepared by Debra Gilot  
Office Assistant II