

WILTON ZONING BOARD
SPECIAL MEETING APRIL 20, 1989

Secretary Joanna K Eckstrom swore in Grayson Parker and new member Neil Faiman.

Chairman Mitchell opened meeting at 7:00 PM stating purpose was to consider request for rehearing by Peter and Celeste Oberg. Board had to determine whether there was sufficient new evidence and whether it had made technical error requiring rehearing.

Secretary said that last nights planning board meeting had concluded without a decision. Planning had made recommendations to Obergs re: fire and ambulance service access, but otherwise seemed to favor plan as presented. Eckstrom noted also that nowhere in ordinance or application is there an order stated for appearance before Board. Said ZBA did not have to make an immediate decision at original hearing. Decision may have been too hasty.

Peter Oberg felt that they had new evidence regarding parking. There was requirement for parking at day care that neither they nor ZBA was aware of when initial hearing conducted. Said proposed parking showed 16 spaces total; required for the daycare and its employees was 11, according to the recommendation of NRPC, whose recommendation was made based on an often used "guideline".

Arlene Laurenitis did not feel information on parking was new evidence. She felt that Board must be diligent in writing down reasons for decision, whether positive or negative. Feels Board made technical error in not being specific. Notice of decision not specific either.

George Infanti felt parking concerned him initially. Maybe he misunderstood Obergs. Though the eight additional spaces on plan were for future, if required. Feels the eight new spaces constitutes "new" evidence.

Neil Faiman attended the ZBA hearing as observer. He didn't hear that 8 additional spaces in discussion. Got impression Board not happy with parking. Feels rehearing warranted as this is "new" evidence.

Grayson Parker favors rehearing. He understood the eight spaces but was confused as well. Feels technical error in not being specific in decision.

Faiman questioned feasibility of four spaces in front of four spaces. But would vote in favor of rehearing when time comes.

Mitchell said parking not new. Board's decision not explained is his reason for rehearing.

Cindy Harris concurred that technical error made.

George Infanti moved to grant Obergs request for rehearing; second by Grayson Parker and Arlene Laurenitis. Motion carried 6 in favor. Faiman's vote was disqualified because he was not an official member of the original hearing, nor had he been officially asked to sit as a member at this special meeting.

Arlene asked whether another site visit should be conducted. Faiman should visit the site as he will be sitting as a Board member when rehearing held. Oberg said the layout is pretty much the same as shown originally.

Infanti said he is satisfied with the parking issue now. Wants attention given to play area. Steep pitch roof has potential hazard with snow/ice falling into play area. Oberg said this can be taken care of. Play area is of greater size than required so this can be dealt with easily.

Celeste clarified her position on having infants in her daycare. It doesn't matter too much to her if she doesn't have infants in care. If she does, she won't be charging for this; it'd be a service to the community, volunteer basis.

Faiman said he'd like to see reports/guidelines regarding number of

employees for intended age groups.

Secretary asked procedure for rehearing. Would applicant pay fees? Board's technical error so at Board expense.

Rehearing is scheduled for next regular meeting May 10 at 7:30 PM. Oberg's were advised that they'd received certified notice of hearing.

Minutes of April 12 were reviewed. Several additions as read by Arlene Laurenitis were read. Minutes with additions were approved unanimously.

Additions are listed separately.

Meeting adjourned at 7:45PM.

Respectfully,



Joanna K Eckstrom
Secretary