

## **Subject to Approval**

### **MADISON PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES Aug. 20, 2020**

The Regular Meeting of the Madison Planning and Zoning Commission was conducted Thursday, Aug. 20, 2020, at 7 p.m., remotely, using Zoom Videoconferencing. The public was invited to participate remotely by joining the meeting through a Zoom webinar link password, telephone call-in number, and a webinar identification number. Log-in and call-in details were posted to the Town of Madison website (<https://www.madisonct.org/>) prior to the meeting.

#### **MEMBERS PRESENT**

Chairman Ronald Clark, Vice Chairman James Matteson, Thomas Burland, Joseph Bunovsky, Jr., Joel Miller, and John K. Mathers.

#### **MEMBERS ABSENT**

Secretary Elliott Hitchcock, Giselle Mcdowall, and Brian Richardson.

#### **ALTERNATES PRESENT**

Peter Roos, Ron Bodinson and Seonaid Hay.

#### **OTHERS PRESENT**

Director of Planning and Economic Development David Anderson. The meeting was recorded via Zoom Videoconferencing software for You Tube viewing.

The Regular Meeting of the Madison Planning and Zoning Commission was called to order at approximately 7 p.m. by Chairman Ronald Clark, who seated Alternate Commissioner Peter Roos for absent Commissioner Giselle Mcdowall, Alternate Commissioner Seonaid Hay for absent Commission Secretary Elliott Hitchcock, and Alternate Commissioner Ron Bodinson for absent Commissioner Brian Richardson.

#### **PUBLIC HEARING ITEM:**

**20-10DVD. 634 Boston Post Road.** Map 38, Lot 112. Owner: Davis Realty, LLC; Applicant: JPMorgan Chase Bank N.A. Site Plan Review Application/Downtown Village District (DVD) Major Modification to demolish an existing 4,133 s.f. building and construct a new Chase bank location with new utility services that will include a remote drive-up automated teller machine and associated parking.

Director of Planning and Economic Development David Anderson stated that the Inland Wetlands and Watercourses Agency has approved the application, and there were some subcommittee meetings with the Advisory Committee on Community Appearance (ACCA) and Chase representatives. Chase Attorney Jennifer Porter stated that there were two very productive meetings with members of ACCA to discuss the redesign of the building, which culminated in ACCA meeting last week and approving the design with two conditions. That final design is now before the Planning and Zoning Commission for approval; discussions are still under way with ACCA regarding the bank's signs, according to Ms. Porter. Site Engineer Matthew DeWitt presented the buildings plans, stating that the existing building will be demolished and replaced

*Page 1. Madison Planning and Zoning Commission, Regular Meeting, Aug. 20, 2020*

with a 3,280 square foot building. Thirty four existing parking spaces will be reduced to 17, a storm water catch basin system will be built, there will be a remote drive through at the back of the site, brand new landscaping featuring the planting of nine or 11 new trees, shrubs and flowers, and streetscape improvements along Boston Post Road, which includes a new walkway out front and brick pavers, according to Mr. DeWitt. Site lighting fixtures that face down will provide evenly distributed lighting, and there will be a walk up ATM at the front, according to Mr. DeWitt, who added that the design features a reduction of impervious. Project Architect Patrick Jones displayed and discussed the elevations and the proposed signage. The new Chase bank will be a two story building in the front facing Boston Post Road, which tapers down to a 1.5 story section to a one story section; the building will be brick with a limestone veneer entrance. There will be an entrance canopy on the west entry and over the rear entry at the back of the building, Mr. Jones stated. The bank will be 31 feet tall, overall, and at its highest point, he stated. Chase has to return to ACCA to give the commission its final design on the signage, according to Mr. Jones. A monument sign originally planned for Boston Post Road, has been moved to the Meigs Avenue side of the building, according to Mr. Jones; this is in response to comments received earlier from the Planning and Zoning Commission. While this application is a public hearing triggered from the architectural design aspect, according to Mr. Anderson, there was no one from the public who wanted to take part. ACCA wants to look at the materials and colors one more time, as well as the sign design, Mr. Anderson stated; he invited members of the public to speak, but none expressed an interest in doing so. Commissioners praised Chase for its patience and diligence over the past year and a half in working with the town to create a design fitting for the downtown district; those who were vocal in opposing the original design stated that they now have no objection to it and believe it fits in quite nicely with the downtown area. Chairman Clark stated that there is a community pride about Madison's downtown, and he thanked Chase representatives for their understanding and flexibility.

**Commissioner Peter Roos made the motion to close the public hearing; it was seconded by Commissioner John Mathers and unanimously approved.**

Vote to close the public hearing passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman James Matteson, and Commissioners Mathers, Roos, Joseph Bunovsky, Jr., Joel Miller, Thomas Burland, Seonaid Hay, and Ron Bodinson.

OPPOSED: None.

ABSTAINED: None.

**Commissioner Bunovsky made the motion to approve the application for 634 Boston Post Road; it was seconded by Commissioner Miller and unanimously approved.**

Vote to approve 634 Boston Post Road passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, and Commissioners Mathers, Roos, Bunovsky, Miller, Burland, Hay, and Bodinson.

OPPOSED: None.

ABSTAINED: None.

**Presentation from the Conservation Commission Student Interns regarding "The Effect of Light Pollution on Dark Skies" presented by Daniel Hand High School students Sarah Caso, Marina Dixon, and Elizabeth Ozimek.**

Conservation Commission Chairman Heather Crawford introduced Student Interns Sarah Caso,  
*Page 2. Madison Planning and Zoning Commission, Regular Meeting, Aug. 20, 2020*

Marina Dixon, and Elizabeth Ozimek, who presented their PowerPoint presentation on *The Effect of Light Pollution on Dark Skies*. Chairman Crawford stated that following the presentation perhaps there could be some discussion on what can take place in the town of Madison, in terms of the dark sky initiative. Elizabeth Ozimek presented the effects of light pollution on the dark sky, with light pollution consisting of light trespass/spill light, glare, and sky glow, including showing a map of light pollution as it affects the town of Madison, with most of the pollution existing along the interstate highway. Marina Dixon discussed the effects of light pollution on human health by explaining the importance of the circadian rhythm and how light pollution disrupts it, worsening human diseases. Sarah Caso presented the effect of light pollution on the horseshoe crab, disrupting its spawning cycle and thus making it a vulnerable species, which is one step away from being endangered; not only is the loss of the horseshoe crab devastating to birds, loggerhead turtles, fish and other wildlife, it is also devastating to the human health industry. In addition, Ms. Caso presented the effect of light pollution on fireflies, because light pollution mimics the full moon, causing a decrease in fireflies, which eat earthworms, snails, and slugs. Frogs, too are being affected by light pollution, with tree frogs being hit especially hard, since they do their mating calls at night. Ms. Ozimek presented the effect of light pollution on birds, with 100 million to 1 billion birds killed in the United States each year, as a result of light pollution, with artificial light causing them to become attracted to it and disoriented by it at night; this creates collisions and disrupts their migratory paths. Ms. Dixon presented the effect of light pollution on trees, which changes leaf shapes, among other physical problems, and causes trees to hold onto their leaves longer, thus preventing them from entering their dormant states to survive the winters. She presented a table showing the sensitivity of woody plants to artificial light. Artificial light also causes trees to die. The presentation included graphs and drawings of outdoor lighting, good versus bad outdoor lighting, the amount of energy wasted through artificial lighting, and how to tell the difference between good and bad light fixtures, the types of bulbs to choose, how to tell whether private property is sky friendly, and lighting dos and don'ts. Chairman Crawford stated that light pollution is creating problems between neighbors, with many residents strongly complaining about the negative effects of residential homeowners' lights encroaching onto their properties. It is more of a problem than many believe, and she compared it to the 1950s, 1960s, and 1970s when water pollution was being noted as a problem, but no one wanted to believe it, and now the rivers are burning, she stated. If people are not recognizing this as a problem, on their own, not knowing that when they can see their shadow on a neighbor's house, that means that their light is too bright, and since so many of the interactions between neighbors seem to be so negative, then perhaps the town could do something through an ordinance, Chairman Crawford stated, adding that this is the Planning and Zoning Commission, and since the Conservation Commission is advisory, then maybe the Planning and Zoning Commission could make some rules. It is complicated, the issue, itself, Chairman Clark stated, but he said there are some members of the public who may want to speak to this issue: George Barnes and Sanna Stanley. Mr. Barnes stated that he has tried to address the issue of light trespass on his street, to no avail; trees that were on his property that served to block the light trespass from neighbors had to be cut down, because the light trespass caused their demise. Neighbors being affected by light from other properties should not be the ones responsible for controlling the problem—the source point should be the control point, Mr. Barnes stated, adding that there are state statutes that address the issue of light encroaching on others. It is being regulated at the state level, Mr. Barnes stated. Locally, it can be as simple as creating a rule that states light cannot leave someone's property, according to Mr. Barnes. Chairman Clark stated that the hard part for him is what becomes objectionable; it is a challenging issue to deal with regulatorily or from an ordinance perspective. It is a challenge, but not one that potentially cannot be addressed, according to Chairman Clark. Sanna Stanley

stated that she objects to the lighting—in the middle of the night, at the minimum, lights can appear 10,000 times brighter. She stated that she cannot look out any window in her house without seeing either a neighbor’s light or a street light. The neighbors have the power; they can turn off the lights, Ms. Stanley stated, adding she no longer has any fireflies, and she has lost trees, as well. She stated that she has addressed this with the neighbors, but they cannot help. Chairman Crawford stated that it is really the existing residential and new single residential properties where these problems are taking place—commercial development is addressing this issue. In doing all this research for the dark sky initiative, one of the lessons learned is that if someone can see the actual light bulb from another property then that light needs to be corrected—unshielded, open light fixtures that glare is one objective standard, according to Chairman Crawford. Director of Planning and Economic Development David Anderson stated that those interested in this topic may view the interns’ presentation on Madison’s You Tube Channel. As for the next step, Mr. Anderson stated work can continue with the Conservation Commission and the interns to draft some ideas for regulations or an ordinance that might address this, and that would be a positive next step. Chairman Clark stated that it is absolutely important to do that.

**REGULAR HEARING ITEMS:**

**Approval of Minutes:** Regular Meeting – July 16, 2020.

In the absence of Commission Secretary Elliott Hitchcock and the fact that the July 16, 2020 minutes were not available to the commissioners, no action was taken, and it was postponed to the next meeting.

**Remarks: Commission Chair** ~ No report.

**Town Planner** ~ Mr. Anderson stated that 503 Old Toll Road may have ended with potentially a different tenant, which is a daycare; an appeal has been filed, and he plans to keep the town attorneys apprised, but the town will not be spending town dollars on the appeal.

**Adjournment**

**Vice Chairman Matteson made the motion to adjourn at 8:18 p.m.; it was seconded by Commissioner Bunovsky and unanimously approved.**

Vote to adjourn at 8:18 p.m. passed, 9-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, and Commissioners Mathers, Roos, Bunovsky, Miller, Burland, Hay, and Bodinson.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,  
Marlene H. Kennedy, clerk