

PLANNING & ZONING
COMMISSION
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TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

WILTON PLANNING & ZONING COMMISSION MINUTES FEBRUARY 23, 2015 REGULAR MEETING

PRESENT: Chairman Christopher Hulse, Vice-Chair Sally Poundstone, Secretary Doris Knapp, Commissioners Lori Bufano, John Comiskey, Joe Fiteni, Bas Nabulsi, Peter Shiue, and Franklin Wong

ABSENT:

ALSO

PRESENT: Robert Nerney, Town Planner; Daphne White, Assistant Town Planner; Lorraine Russo, Recording Secretary; members of the press; and interested residents.

PUBLIC HEARINGS

REGULAR MEETING

A. Mr. Hulse called the Regular Meeting to order at 7:15 P.M., seated members Bufano, Comiskey, Fiteni, Hulse, Knapp, Nabulsi, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

B. APPROVAL OF MINUTES

1. January 12, 2015

MOTION was made by Ms. Knapp, seconded by Ms. Bufano, and carried (7-0-2) to approve the minutes of January 12, 2015 as drafted. Commissioners Hulse and Poundstone abstained.

C. SITE DEVELOPMENT PLAN REVIEW

- 1. SDP, Kimco Realty, Wilton River Park Shopping Center, 5 River Road, Alternative Signage Program**
- 2. SDP, Kimco Realty, Wilton Executive Campus, 15 & 21 River Road, Alternative Signage Program**
- 3. SDP, Kimco Realty, Bright Horizons property, 7 Godfrey Place, Alternative Signage Program**

Present were J. Casey Healy, attorney; and Chris Ciminiello, on behalf of Kimco Realty.

Mr. Nerney reviewed details of the signage applications, which he addressed in a consolidated format with the approval of the Commission. He noted revisions were submitted, dated January 21, 2015, per comments/questions from the Design Advisory Committee and the Commission, including the following:

- Four entry/exit signs in connection with the Wilton Executive Campus property were eliminated
- The existing pylon sign at the River Park's main driveway and the River Park property welcome sign have been shown on the site plan
- A welcome sign has been added, and the previously proposed entry/exit signs were eliminated, at the Bright Horizons property
- Photos of various signs were submitted as requested.

In summary, Mr. Healy explained that the 7 originally proposed new signs were reduced to 2 (i.e. welcome signs at River Park and Bright Horizons properties), and all other referenced signage is existing, and proposed to be refurbished. He stated that dimensions/square footage numbers have been submitted in connection with the proposed refurbished signage, all of which has been approved by the Design Advisory Committee.

In response to a question from Mr. Nabulsi as to whether approval of the application implies an exercise of some level of discretion on the part of the Commission, Mr. Healy acknowledged that the total number of proposed signs on the properties, as well as their total square footages, are likely greater than what would be allowed by the Town outside of the alternative signage program. Ms. White noted further that inclusion of the Kimco name/logo on some of the signage would likely not be permitted outside of the alternative signage program since it could be construed as advertising.

Addressing the applicant's request for additional signage, Mr. Nabulsi asked for the applicant's perspective as to what would justify Commission approval of such a signage plan, given that issues such as safety or inadequacy/lack of current signage for a new business were not proffered as justification for the additional signage.

Mr. Healy explained that the applicant wishes to put a new friendly face on its current signage and on the properties as a whole, noting that the signage proposed is not particularly large.

Mr. Ciminiello explained further that the two proposed welcome signs (at River Park and Bright Horizons) would help to tie the two properties together and create a sort of synergy between them.

Ms. Knapp questioned the importance/necessity of the proposed signage, noting that approximately one-third of the signage is devoted to the Kimco logo and name. She expressed concern for setting an undesirable precedent in Town.

Mr. Ciminiello noted that the Kimco name represented approximately 16% (about 10.9 square feet) of the total signage square footage (approximately 69 square feet) proposed, although Ms. Knapp noted that the Kimco logo/name on the individual Bright Horizons welcome sign represented approximately 6 inches out of a total 18 inches in height (i.e. 33%). Mr. Ciminiello stated again that synergy among the shopping centers is critical, referencing in particular traffic flow and awareness of the Kimco name.

Mr. Healy did not feel that the Kimco name/logo on the signs represented advertisement for the company; rather, he felt it is a mechanism that lets people know who owns the shopping center. Ms. Poundstone felt that there was a certain usefulness to the name identification so that members of the public would know who the responsible party is on site.

Addressing the concern that such signage might set an undesirable precedent for the Town, Mr. Fiteni noted that such signage already exists at the Davis Marcus properties along Route 7 in Town.

Mr. Comiskey felt that a name/logo is generally not as noticeable once a sign is installed as it is when looking at a sign rendering on paper.

Staff distributed a copy of Draft resolution #0215-2Z for Commission review. A minor modification was incorporated into the text to formally reference the alternative signage section of zoning regulations.

MOTION was made by Mr. Nabulsi, seconded by Ms. Knapp, and carried unanimously (9-0) to adopt as amended Resolution #0215-2Z for **SDP** for Alternative Signage at 5 River Road (Wilton River Park); 11, 15 & 21 River Road (Wilton Executive Campus); and 7 Godfrey Place (Bright Horizons), effective February 26, 2015.

WHEREAS, the Wilton Planning and Zoning Commission has received an application from Kimco Realty for an alternative signage program application, pursuant to Section 29-8.A.8, for properties located at (a.) 5 River Road (Wilton River Park) (b.) 11, 15 and 21 River Road (Wilton Executive Campus) and (c.) 7 Godfrey Place (Bright Horizons) all located in the Wilton Center, WC district; Assessor's Map #73, Lot #25, Map #73, Lot #25-1, and Map #73, Lot#29, respectively, consisting of 7.6 acres, 12.198 acres and 0.679 acres, respectively, each owned by Wilton River Park 1688, LLC, Wilton Campus 1691, LLC and Wilton River Park North, LLC, respectively and shown on the following plans:

Site plans for the Kimco Realty properties on 5, 11, 15, 21 River Road and 7 Godfrey Place:

Improvement Location Survey- Prepared for Wilton Shopping Center, Limited Partnership, Prepared by Robert L. Liddel Jr. of Rocco V. D'Andrea, Inc., surveyor, dated September 4, 2002, revised October 29, 2002, scale: 1"=60' (reduced copy) no sheet number noted.

Site Plan with signage identification key- Prepared for Kimco Realty, dated October 10, 2012, revised copy received January 22, 2015, no scale noted.

5 River Road (Wilton River Park):

Welcome Signage- Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company, dated September 23, 2014, revised January 23, 2015, scale: 1"=1' (reduced copy), sheet#1.

11, 15, and 21 River Road (Wilton Executive Campus):

Reface Layout- Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company, dated June 23, 2014, revised January 23, 2015, not to scale, sheet#1.

Reface Layout- Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company, dated June 23, 2014, revised January 23, 2015, not to scale, sheet#2.

Reface Layout- Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company, dated June 23, 2014, revised January 23, 2015, not to scale, sheet#3.

Reface Layout- Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company, dated June 23, 2014, January 23, 2015, not to scale, sheet#4.

Reface Layout- Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company, dated June 23, 2014, January 23, 2015, not to scale, sheet#5.

Reface - Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company, dated June 23, 2014, not to scale, sheet#6.

7 Godfrey Place (Bright Horizons):

Enter/Exit Sign- Prepared for Kimco Realty, Prepared by Display Makers, Inc., sign company,

dated September 23, 2014, scale: 1 1/2"=1' (reduced copy), sheet#1.

Bright Horizons welcome sign (front & back)- Prepared for Kimco Realty, submitted January 22, 2015,, revised January 23, 2015, scale: 1"=1' (reduced copy).

WHEREAS, on January 12, 2015 and February 23, 2015, the Wilton Planning and Zoning Commission reviewed plans and documents pertaining to the proposed establishment of a signage for property located at 5, 11, 15, and 21 River Road and 7 Godfrey Place; presented pursuant to the alternative signage requirements set forth in the Town of Wilton Zoning Regulations; and

WHEREAS, the Wilton Village District Design Committee reviewed applicable plans and documents and has provided the Commission with communications pertaining to their review and such information has been taken into consideration by the Commission; and

WHEREAS, the Wilton Planning and Zoning Commission has determined that the property has certain unique characteristics with distinct driveway and building entrances from both River Road and Godfrey Plane; and

WHEREAS, the Wilton Planning and Zoning Commission has determined that the unique property size and complexities associated with site warrant consideration for alternative signage for 5, 11, 15 and 21 River Road and for 7 Godfrey Place, and

WHEREAS, the Wilton Planning and Zoning Commission reviewed the Alternative Signage Plan request at regularly scheduled meetings on January 12, 2015, and February 23, 2015;

NOW THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** the Sign Plan for the following properties: 5 River Road (Wilton River Park), 11, 15, and 21 River Road (Wilton Executive Campus) and 7 Godfrey Place (Bright Horizons). Approval of alternative signage for these properties is effective February 26, 2015; subject to the following conditions:

1. This Resolution does not replace requirements for the applicant to obtain any other permits or licenses required by law or regulation by the Town of Wilton, such as but not limited to: Zoning Permit, Sign Permit, Building Permit, Certificate of Zoning Compliance; or from the State of Connecticut or the Government of the United States. Obtaining such permits or licenses is the responsibility of the applicant.
2. In accordance with Section 8-3.(i) of the Connecticut General Statures, all work or physical improvements required and/or authorized by the approved Plan shall be completed within five years of the effective date of this resolution. This five-year period shall expire on February 26, 2020.

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3. The illumination of any freestanding signs shall be by means of external, ground-mounted lighting only. The illumination of any other authorized signage (i.e. wall-mounted signs) shall be subject to the review and approval of the Commission.
4. Signage shall be installed in locations designated on the approved signage plans referenced in conditions #5, #6 and #7 noted below. Any additional signage other than what has previously been approved under the alternative signage program or approved temporary signage, shall require an amended alternative signage application and review by the Planning and Zoning Commission.
5. Conditions specific to allowed alternative signage at **5 River Road** (Wilton River Park) are as follows:
 - a. The property shall be limited to not more than one (1) NEW freestanding sign, established in locations shown on the revised site plan submitted January 22, 2015 and subject to the following:
 1. The freestanding sign (Wilton River Park Welcome Sign) shall be designed in a manner consistent with representations shown on drawing #1, dated January 23, 2015. The dimension of this sign shall be 18” x 36” with the total area (including logo) not to exceed 4.5 square feet.
6. Conditions specific to allowed alternative signage at **7 Godfrey Place** (Bright Horizons) are as follows:
 - a. The property shall be limited to not more than one (1) NEW freestanding sign, established in locations shown on the revised site plan submitted January 22, 2015 and subject to the following:
 1. The freestanding sign (Bright Horizons welcome sign) shall be designed in a manner consistent with representations shown on drawing #1, dated January 23, 2015. The dimension of this sign shall be 18” x 36” with the total area (including logo) not to exceed 4.5 square feet.
7. Conditions specific to the RE-FACING of existing signs at **11, 15, and 21 River Road** (Wilton Executive Campus) are as follows:
 - a. The property shall be limited to not more than six (6) directional signs dated January 23, 2015, established in locations shown on the revised site plan submitted January 22, 2015 and subject to the following:
 1. The directional signage shown on sheet #1 shall be 38” x 42” with the total area (including logo) not to exceed 11.1 square feet.
 2. The directional signage shown on sheet #2 shall be 40” x 47” with the total area (including logo) not to exceed 13.1 square feet.
 3. The directional signage shown on sheet #3 shall be 40” x 47” with the total area (including logo) not to exceed 13.1 square feet.
 4. The directional signage shown on sheet #4 shall be 15” x 48” with the total area (including logo) not to exceed 5 square feet.

5. The directional signage shown on sheet #5 shall be 38¼” x 40” with the total area (including logo) not to exceed 10.7 square feet.
6. The directional signage shown on sheet #6 shall be 24” x 36” with the total area (including logo) not to exceed 6 square feet.

8. All approved signs shall be designed and erected in accordance with the aforementioned plans and as described on the alternative signage plan listed above. The proposed signs, shall be consistent with the signage represented on the submitted plans and shall not differ with respect to size, color, design or appearance. Said signs shall be located in the areas as shown on the submitted site plan. All other unauthorized signage shall be permanently removed.

9. Any permissible temporary sign shall be subject to the issuance of a zoning permit and erected and maintained in accordance with Section 29-8.A.7.c.(2) of the zoning regulations. Placards used to denote address numbers are not considered signage.

Submittal of revised plans and application:

10. Two (2) completed revised sets, (collated and bound) shall be submitted to the Commission’s office for endorsement as "Final Approved Plan" by the Town Planner. Said plans shall include all revisions noted above and shall bear an ORIGINAL signature, seal and license number of the professional responsible for preparing each plan or portion of it. Said plans shall include the following notes:
 - a. "In accordance with Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Sign Plan shall be completed within five years after the approval of the plan. Said five-year period shall expire on February 26, 2020.
 - b. "For conditions of approval for Sign Plan, see **Resolution #0215-2Z.**"

- END RESOLUTION -

D. ACCEPTANCE OF NEW APPLICATIONS

1. **SP#399, Randall Luther (Tai Soo Kim Partners, Inc.), 217 Wolfpit Road, To add temporary portable classrooms to Miller Driscoll school**

It was the consensus of the Commission to accept the application and set a public hearing date for March 9, 2015.

Addressing an incorrect zoning regulations section reference on the application, Mr. Nerney stated that he would call the applicant in the morning to clarify and to request a corrected document prior to the scheduled hearing.

E. PENDING APPLICATIONS

- 1. SP#395, Wilton GSE, LLC, 372 Danbury Road, To reduce the number of parking spaces required on the site per Section 29-8.B.2.c of zoning regulations**

The Commission briefly reviewed Draft resolution #0215-2P.

MOTION was made by Mr. Fiteni, seconded by Ms. Bufano, and carried (8-0-1) to adopt as drafted Resolution #0215-2P for SP#395, effective February 26, 2015. Mr. Nabulsi abstained.

WHEREAS, the Wilton Planning and Zoning Commission has received a Special Permit application (SP#395) from Wilton GSE LLC to allow a parking waiver of 68 parking spaces pursuant to Section 29-8.B.2.c. of the Wilton Zoning Regulations, for property located at 372 Danbury Road, in a General Business “GB” District, Assessor’s Map #46, Lot #12, consisting of 5.87 acres owned by Wilton GSE LLC and shown on the plans entitled:

ALTA/ACSM Land Title Survey- Prepared for Wilton Office Plaza, Prepared by Peter A. Podurgiel, land surveyor with Co-Operative Land Surveyors, dated December 12, 2013, last revised January 6, 2014, scale 1”=40”, sheet #1 of 2.

ALTA/ACSM Land Title Survey- Prepared for Wilton Office Plaza, Prepared by Peter A. Podurgiel, land surveyor with Co-Operative Land Surveyors, dated December 12, 2013, scale 1”=40”, sheet #1 of 2.

WHEREAS, the Wilton Planning and Zoning Commission has conducted a public hearing on November 24, 2014 and January 12, 2015 to receive comment from the applicant and the public and has fully considered all evidence submitted at the hearing; and

WHEREAS, the Wilton Planning and Zoning Commission has reviewed the applicant’s parking study and documentation related to parking requirements for medical/dental office use and for general office use. Based on such documentation, the Commission finds supportable reasons to reduce parking requirements to one (1) space per 400 square feet of gross floor area for professional office uses and one (1) space per 200 square feet for medical uses; and

WHEREAS, the Wilton Planning and Zoning Commission has determined that the application is otherwise in substantial compliance with the Wilton Zoning Regulations;

NOW THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** Special Permit #395 to allow a parking waiver of 68 parking spaces pursuant to Section 29-8.B.2.c. of the Wilton Zoning Regulations, at 372 Danbury Road, effective February 26, 2015 subject to the following conditions:

This Resolution does not replace requirements for the applicant to obtain any other permits or licenses required by law or regulation by the Town of Wilton, such as, but not limited to: Zoning Permit, Sign Permit, Building Permit, Certificate of Zoning Compliance; or from the State of Connecticut or the Government of the United States. Obtaining such permits or licenses is the responsibility of the applicant.

In accordance with Section 8-3.(i) of the Connecticut General Statutes, all work or physical improvements required and/or authorized by the approved Site Plan shall be completed within

five years of the effective date of this resolution. This five-year period shall expire on January 29, 2020.

The applicant shall file a Land Record Information Form for this Special Permit approval with the Town Clerk (form to be provided by the Planning and Zoning Department) prior to the issuance of a zoning permit.

Prior to the issuance of a Zoning Permit, the applicant shall submit a site plan showing the reassignment of two parking spaces to two (2) wheelchair accessible parking spaces. The location of the reassigned wheelchair accessible spaces shall be subject to the approval of the Town of Wilton Building Official.

Medical waste or debris generated by the proposed medical practitioners shall be stored indoors and not be located outside.

Submittal of revised plans and application:

Two (2) completed revised sets, (collated and bound) shall be submitted to the Commission's office for endorsement as "Final Approved Plan" by the Town Planner. Said plans shall include all revisions noted above and shall bear an ORIGINAL signature, seal and license number of the professional responsible for preparing each plan or portion of it.

Said plans shall include the following notes:

- a. "Pursuant to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Special Permit shall be completed within five years after the approval of the plan. Said five-year period shall expire on February 26, 2020."
- b. "For conditions of approval for Special Permit #395, see Resolution #0215-2P."

Prior to the issuance of a certificate of zoning compliance:

The applicant shall install the two re-stripped and designated wheelchair accessible parking spaces, prior to the issuance of zoning compliance. If requested by the zoning enforcement officer, the applicant shall furnish the Planning and Zoning Department with an as-built survey of the property. Said survey shall depict the location of all buildings/structures and parking areas and shall include building and site coverage calculations.

F. COMMUNICATIONS

1. Presentation/Discussion with the Wilton Economic Development Commission

Tabled.

G. REPORT FROM CHAIRMAN

1. Reports from Committee Chairmen

H. REPORT FROM PLANNER

Mr. Nerney briefly reviewed the issue of signage in Town, referencing the Commission’s recent decision to look at signage regulations on more of a public scale. He referenced correspondence recently received from a business owner in Town addressing the issue of signage, as well as a letter from the Wilton Chamber of Commerce to the Commission noting the Chamber’s outreach to business owners in Town requesting that they submit their thoughts/suggestions on the matter.

Mr. Hulse noted that all business owners in Town are welcome to send in letters/recommendations to the Commission. Mr. Nerney stated further that public input is important, noting that the Commission is not necessarily looking at the issue from only a business or marketing perspective. Mr. Hulse explained that the Commission welcomes a collective input to obtain a perspective from the community as a whole and to review/discuss/weigh the different options and base its formulation of regulations on such a dialogue.

Mr. Nerney referenced the Old Danbury Road property that has been the subject of negotiation between the Town and Patrick Downend to accommodate affordable housing in Town in lieu of the 44 Westport Road property previously proposed for such housing. In connection with that discussion, which Mr. Nerney noted was moving along very well, he explained that the Town would be pursuing a zone change for the 1-acre parcel from a mixed Design Enterprise/Residential zone to a fully Residential zone, as well as a lot line relocation that would likely be handled administratively. Mr. Nerney was unsure as to who would present the zone change application to the Commission (either himself or possibly the Town’s attorney).

Mr. Nerney updated the Commission on the Wilton Railroad Station walkway, noting that the Town is going into the design phase of the project and will be moving forward through the regulatory process in the months ahead.

Mr. Nerney advised the Commission that the Town received a “CT Main Street Grant” grant of \$425,000 for streetscape/sidewalk treatment in the downtown area. He noted that the Town would like to get a good design firm on board, which costs would be covered by the grant, to come up with some creative ideas for the project.

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

MOTION was made by Ms. Poundstone, seconded by Ms. Knapp, and carried unanimously (9-0) to adjourn at 8:05 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary