

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

WILTON PLANNING & ZONING COMMISSION MINUTES MARCH 9, 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: Daphne White, Assistant Town Planner; Lorraine Russo, Recording Secretary; members of the press; and interested residents.

PUBLIC HEARINGS

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

Mr. Hulse called the Public Hearing to order at 7:15 P.M., seated members Bufano, Comiskey, Fiteni, Hulse, Knapp, Poundstone, and Shiue, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Ms. Knapp read the legal notice dated February 23, 2015 and she referred into the record a 3-page Planning and Zoning Staff Report dated March 3, 2015; a memorandum dated March 3, 2015 from Michael Ahern to Daphne White; and an email dated March 3, 2015 from Lt. Thomas Conlan to Bob Nerney.

Present were Randall Luther, principal, Tai Soo Kim Partners; Jess Saylor, Tai Soo Kim Partners; Barry Blades, landscape architect; Mike Douyard, Turner Construction; and Bruce Hampson, Co-Chair, Building Committee.

Mr. Luther explained that the applicant wishes to install 6 portable classrooms at Miller Driscoll School this coming summer which would be available for student occupancy when school begins in September. He noted that students will need to be accommodated in temporary classrooms during construction on the site, the first phase of which will

P&Z Minutes – 03/9/15 – Page 2

involve demolition of the school's "peach core".

Referencing a posted site plan, Mr. Luther stated that the proposed location for the classrooms is the most attractive and would result in minimal disruption and maximum safety. He noted that site circulation would remain exactly the same as it is today, and the classrooms would be connected via an enclosed corridor to the existing school structure. He stated that no increase in staff or students is expected in the near future.

Commissioners Nabulsi and Wong arrived and were seated at approximately 7:20 P.M.

Mr. Luther reviewed comments/questions raised in the Planning and Zoning Staff Report of March 3, 2015, noting in particular that:

- Bollards could be installed between the temporary building and the drop-off driveway as a condition of approval, if required (per question #3);
- Only building-mounted lighting and any emergency lighting required by Fire Code is anticipated (per question #4)
- Portable classrooms will be wheelchair accessible (per question #10)
- Elevations are difficult to provide at this time since the project has yet to be bid on, and elevations will vary depending on which temporary vendor is chosen, although some generic elevations could perhaps be provided sooner if necessary
- Corrected copies of the survey will be forwarded to the Commission (per question #13)

In response to a question from Mr. Fiteni, Mr. Luther stated that T-111 siding would be utilized, although the applicant would entertain another equal but compatible material if the Commission so desired.

Mr. Luther explained further that 12 separate pre-fabbed modules would be installed, two modules per classroom, which would be assembled on-site on top of foundations, about 4 feet above grade with skirts all around.

Mr. Blades addressed question #6 regarding the issue of installing the classrooms on top of an existing storm water line and manhole cover. He cited significant grade changes on the site and the applicant's desire to locate/design the classrooms with minimum disturbance on the site. He referenced Engineer Ahern's email of March 3, 2015, noting that the applicant would comply with Mr. Ahern's request to clean and inspect existing storm pipes, a silted-in manhole, catch basin and detention basin to ensure that the storm water system will operate properly while the classrooms are on-site.

Mr. Blades explained further that sonotube footings, not slab on grade, would be utilized so that if any problems/blockages were to arise, access could easily be obtained underneath the structure since there would be at least 4 feet of clearance space.

Addressing a question regarding the definition of “temporary”, Mr. Douyard stated that the addition is expected to be completed in December of 2016, at which time portable classrooms would come down. He felt that the classrooms would be utilized for a period of 12 months, although they would likely be on site for a period somewhat greater than 12 months start-to-finish.

In response to a question from Ms. Poundstone, Mr. Hampson stated that no damages are to be assessed against the developer, per terms of the construction contract, if the project were to go beyond the timeframe anticipated.

Addressing an issue of runoff raised by Mr. Fiteni, Mr. Blades stated that runoff would be picked up by the existing swale and routed into an existing detention pond off to the side. He felt that there would be very little, if any, change to the amount of runoff directed into that drain, with drainage patterns essentially remaining the same as existing.

Addressing a question from Ms. Knapp regarding the aforementioned skirts, Mr. Luther stated that there would still be approximately 4-6 inches of clearance above grade to allow water to pass under the buildings. Mr. Blades explained that the proposed plans are typical for this type of construction, noting that temporary classrooms are usually refurbished and reusable.

In response to a question from Mr. Wong regarding environmental certification for the classrooms (i.e. with respect to air quality, mold, etc.), Mr. Luther stated that it would not be difficult to have an industrial hygienist gather some air samples during a walk-through to confirm that environmental conditions are satisfactory. He noted that air samples taken prior to occupancy would represent worst-case results since doors and windows would not be open and air exchanges would not be occurring.

Addressing the second portion of question #6 of the Staff Report, Mr. Blades stated that no building weight would be imposed upon the existing drain line since the structures would be raised at least 4 feet above grade. Addressing issue #7, Mr. Blades confirmed that the ductile iron pipe would be temporary and would be removed after construction. He also noted that the pipe could be increased to 8-inch diameter, as requested by Engineer Ahern, rather than the 6-inch diameter proposed. Addressing question #12, Mr. Blades stated that no trees are proposed to be removed.

Mr. Luther stated that the classrooms would encompass approximately 750 square feet each, accommodating about 18-20 students per class. He noted that heating, but not cooling, would be provided in the connecting corridor (probably electric baseboard-type heat); and unit ventilators would be utilized to heat the classrooms themselves.

Addressing the issue of on-site security raised by Ms. Knapp, Mr. Luther explained that

the classrooms would be equipped with hardware comparable to all other doors in the school. He stated that the same security procedures would be followed for the temporary classrooms as for the rest of the building, with the fire alarm and central PA systems tied into the temporary classrooms as well.

Mr. Douyard noted further that construction would be conducted in several phases, with barriers being installed at all doors where construction is ongoing and, upon completion, barriers would be removed, with portable classrooms closed down once the entire project is completed. He also noted that all contractors would have photo badges while working on the site.

Mr. Fiteni raised the issue of the drainage line again, noting that relocating the proposed classrooms about 5 feet southward would seem to address drainage issues and not impact anything else. Mr. Blades felt that a move of about 10 feet would actually be necessary to address the pipe issue, which would result in drop-off issues in the southerly area of the site. Mr. Blades acknowledged, in response to a question from Ms. White, that although their civil engineer had spoken with Mr. Ahern about this issue, no follow-up email was ever generated by Mr. Ahern after that conversation.

Mr. Wong questioned whether the proposed temporary classrooms fall under the category of trailers, which are not permitted by zoning regulations. Ms. White explained that Town Planner Nerney felt the structures would fall under the category of classrooms rather than trailers since they are designed, and would be used as, classrooms. Mr. Luther noted further that they sit on concrete foundations, not on wheels, and are essentially modular construction. Mr. Nabulsi stated that he could easily come to the conclusion that they are modular construction. Mr. Wong felt that the distinction is in the fact that they are not permanent. Mr. Hulse noted that they are classrooms and not meant to be dwelling units, although Ms. Knapp noted that they actually could be since they have bathrooms.

Mr. Fiteni asked how the Town deals with construction trailers. Ms. White responded that they are allowed in the Town for temporary use. In that regard, Mr. Luther noted the applicant's original opinion that it would not be necessary to come before the Commission for approval of the classrooms since the applicant viewed them as construction trailers, but Mr. Nerney advised going through the Special Permit process since he felt the applicant would be better served by applying for said permit. Addressing the issue of permanence, Mr. Luther noted that there are many districts in Connecticut where this exact construction is, in fact, used on a permanent basis.

Ms. White referenced the definition of "trailer" in the zoning regulations, noting that it is silent on the issue of classrooms. She also noted that a number of schools in Town used similar type structures over the years, which were approved by the Planning and Zoning Commission, including Our Lady of Fatima and Gilbert & Bennett schools.

In response to a question from Ms. White regarding downspouts and gutters, Mr. Luther stated that gutters and downspouts will be installed on the temporary classrooms, but there would not be any risk of sheeting water that could potentially ice over by the drop-off area.

Addressing Engineer Ahern's drainage concerns, Mr. Luther stated that if it is the only way to move forward, then the applicant will have to relocate the temporary structure away from the drainage manhole, although it will complicate the grading issues. He acknowledged that the applicant has not heard back yet from Department of Public Works concerning the aforementioned matter.

Mr. Fiteni suggested conditioning a fixed amount of time, within reason, for the structures to be allowed to remain on site. Ms. White stated such a condition could be incorporated into any resolution of approval.

Mr. Luther confirmed that the construction project could not move forward without installation of these temporary classrooms on the site. In that regard, Mr. Hampson noted that other schools/facilities in Town were considered for swing space, but no other areas were deemed capable of accommodating the children adequately. He also noted that the Town has employed Turner Construction in the past for various Town projects and the company has consistently brought projects in on time and on budget.

Ms. White referenced Police Department concerns cited in an email from Lt. Thomas Conlan dated March 3, 2015, pertaining primarily to security concerns and staging area issues. She questioned whether the applicant had spoken specifically with the Police Department. Mr. Luther stated that the applicant would follow up with the Police on these issues. He noted that the building would function and behave from a security and safety perspective in the same way as it operates currently.

Mr. Fiteni asked that the applicant conduct some further study on the drainage issue and report back to the Commission.

Mr. Hulse asked if anyone in the audience wished to speak for or against the application. There were no comments as there was no one in the audience other than the press and representatives of the applicant.

Some further discussion ensued regarding the issue of drainage raised by Mr. Fiteni, in particular, and whether the main flow of water could somehow be moved out from under the building. Mr. Blades felt that even with a 10-foot building shift there would still be water flowing under the building. Mr. Fiteni suggested some re-contouring of the land as one alternative to improving the environment under the classrooms. Mr. Blades raised the possibility of regrading the swale, which Mr. Fiteni felt could be another alternative to

addressing the issue. Mr. Fiteni again emphasized potential issues of mold, dampness and snow melt/pooling that he felt should be addressed by the applicant. Mr. Blades stated that they would look at the possibility of changing the contours to get drainage flow out from under the building.

Mr. Luther agreed to provide one copy of an accurate 80-scale survey for the file, per Ms. White's request.

There being no further comments from the Commission or the public, at approximately 8:22 P.M. the Public Hearing was continued until March 23, 2015.

REGULAR MEETING

- A.** Mr. Hulse called the Regular Meeting to order at 8:22 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. February 23, 2015 – Regular Meeting**

MOTION was made by Ms. Knapp, seconded by Mr. Nabulsi, and carried (9-0) to approve the minutes of February 23, 2015 as drafted.

C. SITE DEVELOPMENT PLAN REVIEW

D. ACCEPTANCE OF NEW APPLICATIONS

- 1. SDP, Fairfield County Engineering LLC, Glen River Condominium Association, Inc., River Road, Paving and Drainage project**
- 2. CHZ #15347, Town of Wilton, Old Danbury Road (a/k/a Assessor's Map #74, Lot #25 and portion of Lot #27), Change of zone from Design Enterprise (DE-5) to Residential (R-1A)**
- 3. SP#400, Café Ruche LLC, 101 Old Ridgefield, Seasonal outdoor café seating**

It was the consensus of the Commission to schedule a public hearing for CHZ#15347 on March 23, 2015; and to schedule a discussion for the Glen River Site Development Plan on April 13, 2015, and a public hearing for SP#400 on April 13, 2015.

E. PENDING APPLICATIONS

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

Tabled.

F. COMMUNICATIONS

- 1. Presentation/Discussion with the Wilton Economic Development Commission**

The item was tabled at the request of John Wilson earlier in the day.

Mr. Hulse suggested leaving the item on the agenda for the next meeting, noting that he welcomes input from the Economic Development Commission.

G. REPORT FROM CHAIRMAN

H. REPORT FROM PLANNER

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

MOTION was made by Ms. Knapp, seconded by Ms. Poundstone, and carried unanimously (9-0) to adjourn at 8:32 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary