

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

WILTON PLANNING & ZONING COMMISSION MINUTES MAY 26, 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.

Mr. Hulse called the meeting to order at 7:15 P.M., seated members Bufano, Comiskey, Fiteni, Hulse, Knapp, Nabulsi, Poundstone, and Shiue, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. He scrambled the agenda to hear Communications Item F.1.

F. COMMUNICATIONS

- 1. Wilton Commons 2, LLC, 21 Station Road, Request for 1-year extension to complete improvements authorized by Special Permit #324 for completion of all physical improvements by February 27, 2017.**

Mr. Nerney referenced a letter dated May 19, 2015 from Lisa L. Feinberg (Wilton Commons 2, LLC) to Planning and Zoning Commission requesting a 1-year extension to complete improvements authorized by SP#324. He explained that a relatively recent amendment to the Connecticut General Statutes increased the time allowed for completion of improvements from 5 years to 9 years for certain projects approved during a specific timeframe. He noted that the original approval (for 77 units) was obtained in February of 2007, of which 51 were completed, with an additional 23 units still pending (the project was ultimately downsized to 74 units in total). He explained that the applicant is applying for a 1-year extension, where they could actually request up to a 5-year extension (subject to Planning & Zoning Commission approval), due to concerns that completion of the project will fall short of the February 27, 2016 deadline.

MOTION was made by Mr. Nabulsi, seconded by Ms. Poundstone, and carried unanimously (8-0) to extend the deadline for completion of all improvements by February 27, 2017.

PUBLIC HEARINGS

1. SDP, Patrick Downend, 31 Old Danbury Road, Construction of 30-unit mixed income housing development pursuant to Section 8-30g of CT General Statutes

Mr. Hulse called the Public Hearing to order at approximately 7:20 P.M., seated members Bufano, Comiskey, Fiteni, Hulse, Knapp, Nabulsi, Poundstone, and Shiue, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. He noted that the hearing was continued from a previous date. Ms. Knapp referred for the record to a letter, received May 12, 2015, from Sandra and Tony Hogan to Mr. Nerney.

Present were J. Casey Healy, attorney; Kate Throckmorton, landscape architect; Joe Canas, engineer; Patrick Downend, developer.

Mr. Healy distributed a response letter dated May 26, 2015, responding to the Planning and Zoning Staff Report and comments from the May 11, 2015 meeting, as well as an aerial photograph with the proposed development depicted.

Mr. Wong arrived and was seated at 7:21 P.M.

Mr. Healy reviewed the response letter on a point-by-point basis, addressing a total of 29 P&Z Staff Report comments, including issues pertaining to easement limits, drainage, landscaping, lighting, parking, curbing, grading, the affordability plan, storm-water maintenance, rooftop mechanicals, among others [reference response letter of May 26, 2015]. He noted that the aforementioned responses were drafted after a meeting with staff and various Town Departments, including Fire, Police, DPW, Wetlands, etc. to discuss all outstanding issues.

He also addressed comments/questions raised at the May 11th meeting. He noted in particular that

- the developer is working out an agreement with Public Works to reconnect the north and south ends of Old Danbury Road to allow emergency vehicle access only, perhaps utilizing a break-away gate or fencing;
- the Board of Education has advised that school bus pick-up/drop-off will occur at the intersection of Station Place and Danbury Road notwithstanding the applicant's and staff's suggestion that it be at the intersection of Old Danbury Road and Station Road,

with a turnaround in the Teen Center parking lot;

- the Landscaping Plan has been revised to include a new viewing deck with an information plaque regarding wetlands westerly of the northern parking area;
- the number of proposed parking spaces (50) is based on the applicant's experience with similar projects he has developed. It was noted that 50 spaces is 25 fewer than would be required per Section 29-8.B.5.a (2) of zoning regulations.

Mr. Healy also referenced various attachments to the response package, including two Tighe & Bond response letters dated May 11, 2015 and May 13, 2015; a Fire Truck Turning Movement Plan AT.01, dated April 10, 2015; a letter dated May 20, 2015 from Kate Throckmorton (Environmental Land Solutions) to Planning and Zoning Commission; a Landscape & Wetland Buffer Enhancement Plan LP-1 dated April 16, 2015; and lighting specifications from Philips Lumec.

A question arose regarding the possibility of providing school buses with a special pull-in space beyond the curb and whether such a configuration would allow cars to pass a school bus on the left. Mr. Nerney did not know whether vehicles would still legally be required to stop under such a scenario. He noted that Crowne Pond has an area where a school bus can swing over, out of the traffic way, but it is not utilized by the Board of Education (BOE) due to a fear of creating a false sense of security. He referenced his suggestion (heretofore noted) of a possible bus stop at Old Danbury Road and Station Road with a turn-around at the Teen Center, a Town-owned property. He stated that the BOE has asked for traffic count information for Station Road, which has since been forwarded, and he believed that the BOE is currently weighing that option further.

Mr. Nabulsi expressed concern that there be a safe mode of travel for students, asking in particular whether the applicant had given any consideration to assisting with a sidewalk up to where the bus stop may ultimately be located. Mr. Healy stated that the applicant would look at that further. Ms. Knapp expressed further concern that due to the long walking distance to the bus stop, parents would be more inclined to drive children, resulting in queuing of cars along Station Road.

Mr. Nerney raised another possibility/suggestion of children walking up Old Danbury Road, which is essentially a dead-end road today, if the culvert is put in where the swale is currently, although Mr. Nabulsi expressed concern with the darkness and secluded nature of the area for young children walking alone. Mr. Healy stated that the applicant would look into all the possibilities raised, and also try to circle back to Mrs. Channing at the BOE as well.

In response to questions from Ms. Knapp pertaining to the proposed recreation area on site, Ms. Throckmorton did not know the actual square footage of said area, but she confirmed that the proposed grates would be ADA-compliant. Mr. Canas confirmed that the number of drains has not been changed but he noted that they would be shifted closer

to the property perimeter.

Mr. Downend stated that the recreation space would measure approximately 260 square feet in size, which he felt would be a nice space, with the viewing deck adding to its attractiveness. He also explained that the rear yard access door would have a key fob, noting that the hallway in that area would be connected to the other hallways and the elevator, making it very accessible for tenants.

Mr. Wong raised concerns with some of the proposed head-in parking, particularly during significant snow events, relating to safety and loss of space. He questioned whether parallel parking might be considered instead along the west side which he felt would allow for greater road width as well as easier snow clearance and greater safety.

Mr. Nerney expressed concern about the resulting loss of space from such a reconfiguration, noting that the current parking space width for head-in parking is about 9 feet whereas the length of a parallel parking space would be over 20 feet.

In that regard, Mr. Fiteni stated that he still had an issue with the parking easement along the east side of Old Danbury Road, questioning why there couldn't be more head-in spaces along the west side instead. He cited the applicant's previous response that it was due to grading issues in that area, although he noted that there are substantial grading issues on the east side as well, in addition to many large trees that will be lost. He felt strongly that such a reconfiguration of parking would be preferable, especially from the perspective of not encumbering that piece of property via the proposed parking easement. In response to the applicant's concern about such parking being too far away from the building, Mr. Fiteni did not feel it would be a significant walking distance from the building, noting further that it would eliminate the need to cross the roadway in order to access parking, as currently proposed.

Mr. Nerney recalled the logic of the proposed parking plan, noting that by tucking it into the embankment it was felt to be more compact and hidden/less visible from Danbury Road, as opposed to having more of an elongated area of parking along the west side of Old Danbury Road.

Mr. Fiteni felt that this option was not adequately addressed.

Ms. White questioned whether comments/issues raised by the Wilton Volunteer Ambulance Corps (WVAC) were addressed. Mr. Healy stated that all WVAC issues were addressed, noting in particular that access/egress for the north parking lot will not be a problem for ambulances; the grade in the area of the second entrance would not meet building code to permit a second handicapped ramp; and a 30-unit building is not required to have two elevators.

In response to a question from Mr. Nabulsi, Mr. Nerney confirmed that a copy of the housing affordability plan was forwarded to Town Counsel for review.

Mr. Nerney also noted that no ruling has been issued by the Inland Wetlands Commission on this application and thus it would be advisable to continue the hearing.

Mr. Hulse asked if anyone in the audience wished to speak for or against the application.

There being no further comments from the Commission or the public, at approximately 8:12 P.M. the Public Hearing was continued until June 8, 2015.

2. SP#401, Calitri Revocable Trust (John Burke, Tr.), 46 Danbury Road, Renovation of gasoline station/convenience store, reconstruction of parking lot, misc. site modifications

Mr. Hulse called the Public Hearing to order at approximately 8:12 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. Ms. Knapp read the legal notice dated May 12, 2015 and referred for the record to a 3-page Planning and Zoning Staff Report dated May 19, 2015, with attached photos; and a 5-page response letter dated May 21, 2015, with 2 attachments.

Present were J. Casey Healy, attorney; John Burke, applicant; Ryan Scrittorale, engineer; and Steve Ulman, traffic engineer.

Mr. Healy referenced a posted site plan and briefly reviewed a history of the site beginning in 1946, which was prior to zoning regulations, noting that existing uses and structures do not comply with current DE-5 regulations. He explained that the DEEP's requirements to replace/upgrade underground oil tanks no later than 2019 precipitated the applicant's plans for further modifications to the site, including demolition of the rear building, expansion of the existing convenience store into the three auto service bays, and addition of a new parking area/driveway in the rear. He noted that there will no longer be any auto repair service offered on the site, and the proposed driveway modifications will allow oil delivery trucks to enter and exit from Route 7, which he felt would be safer. In summary, he explained that the proposed site modifications would eliminate or reduce many nonconformities on the property.

Mr. Healy referenced a response letter dated May 21, 2015 that was previously submitted into the record.

Mr. Scrittorale reviewed the posted site plan in greater detail. He explained proposed gas tanker movements, noting that there will be adequate turning space on the site. He stated

that the existing canopy will remain but it will be rebranded from Mobil to Citgo, and he noted that the applicant would prefer not to erect a monument sign but would remove internal illumination from the existing flag pole sign.

Mr. Healy stated that the applicant would arrange a meeting to review its response package in detail with Town Planner Nerney and Assistant Planner White.

In response to questions from the Commission, Mr. Scrittorale stated that the applicant could mark (either with signage and/or striping) that no parking will be permitted along the southern edge of the site, and he confirmed that electrical charging capabilities will be available on site.

Mr. Nerney suggested some directional signage to alert people to parking availability in the rear of the site.

In response to a question from Mr. Nabulsi concerning average daily trips for existing and proposed conditions, submitted as part of a traffic analysis, Mr. Ulman explained that the slightly lower number of daily trips anticipated for the renovated site is due to a formula that reflects different land uses, i.e. the existing gas and service use versus the proposed gas station with convenience store use, although he noted that the variance is minimal.

Mr. Burke confirmed that there are no plans for the convenience store to be affiliated with a large franchise such as Dunkin' Donuts, Subway, etc. Mr. Healy noted for the record that such a use would not be permitted in the DE-5 zone nor is the site grandfathered for such a use.

Line of sight issues were raised, particularly in connection with the southern egress from the site. Mr. Healy stated that the applicant could provide line of sight information to the Commission. In that regard, Mr. Scrittorale noted that plans have been submitted to DOT for comment and there are plans to clean up around the frontage of the property to alleviate some of those issues.

Mr. Nerney stated that the applicant would be installing additional lighting fixtures along the sides of the property. He stated that although there may be a couple more fixtures in the setback than currently, the lighting will be LED, which he noted is vastly superior and more direct, with no light spillage. He noted again the improvement to the site as a result of the removal of existing internal illuminated signage.

Addressing signage in more detail, Mr. Nerney explained that one wall sign and one ground sign are allowed by regulations. He asked that the applicant think through its canopy labeling plans since such branding can also be considered signage. Mr. Healy stated that the applicant would get back to the Commission on that matter.

A question arose regarding installation of a sidewalk on the site. Mr. Fiteni felt that having no sidewalk at all would be worse than having a narrow sidewalk. Mr. Scrittorale explained that there is a 10-foot DOT easement along the property frontage. He stated that the applicant could explore the sidewalk issue with DOT, although they have received significant push-back from the DOT in the past. However, he indicated that they would raise the issue and report back, noting that it is ultimately the DOT's decision.

Mr. Hulse asked if anyone in the audience wished to speak for or against the application.

There being no further comments from the Commission or the public, at approximately 8:40 P.M. the Public Hearing was continued until June 8, 2015.

3. SP#402, Randall Luther, Tai Soo Kim Partners, Inc., Miller-Driscoll School, 217 Wolfpit Road, Building renovations and additions

Mr. Hulse called the Public Hearing to order at approximately 8:40 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. Ms. Knapp read the legal notice dated May 12, 2015 and she referred for the record to a 4-page Planning and Zoning Staff Report dated May 19, 2015; a 6-page response letter dated May 22, 2015 from J. Casey Healy to Planning and Zoning Commission with lighting, rooftop mechanicals, and map attachments.

Present were J. Casey Healy, representing the Town of Wilton; Randall Luther, applicant; Barry Blades, landscape architect; and Holt McChord, engineer.

Mr. Healy distributed a Presentation Agenda for the evening's hearing. He referenced a response package dated May 22, 2015 addressing issues raised in the Planning and Zoning Staff Report of May 19, 2015, noting that the applicant had not yet had time to review said responses with staff.

Mr. Luther referenced a posted site plan, noting the applicant's plans to upgrade the existing facility, expand the pre-kindergarten (Pre-K) program and improve site circulation/provide additional parking. He explained that the original buildings date back to the 1960s, with an infrastructure that is original and beyond its useful life. He noted that probably more than 20 minutes are lost each day in moving young children around within the large footprint of the existing building, a situation that they are attempting to improve upon with the proposed site modifications.

He reviewed building plans, noting that the existing peach core would be removed and replaced with a newer and more compact/efficient footprint, with a new addition proposed on the outer core. He stated that the cafeterias would be consolidated and

art/music classes/activities would be located in a central common area.

He reviewed plans for a stand-alone Pre-K wing with its own separate entrance, parking, and driveway, connected to the main building via a large ramp. He stated that a new main entrance would be provided in the front area, which would help to improve overall security on the site; and the play area would be moved to the back where the cafeteria will also be located, further improving security since the building itself would thus become a sort of buffer for students in the rear.

He also referenced a primary color-coding scheme for the building that would identify different areas of the building via a visible colored roof panel, and existing skylights will be eliminated with their accompanying leakage problems.

Mr. Blades referenced existing and proposed plans for the site, noting that they tried to maintain as much of the existing infrastructure as possible, i.e. maintaining the ball fields, entry drive, parking etc. on the southern side since that area is working well as is. He cited additional parking that will be provided on the site, some of which will be achieved by changing to head-in and double-loaded parking; and he noted that visitor parking would be located close to the new main entrance as opposed to scattered throughout the site as it is currently.

He addressed site circulation, noting that there will be three independent queuing loops with their own dedicated lanes (one of which will be solely dedicated to the Pre-K wing), thus improving upon the long queuing lines that currently occur in both the southern and northern drop-off areas. He noted that bus queuing would also be improved via a lengthened queuing line to make bus loading more efficient. He also noted that play areas would be in a more protected location on the site.

In response to a question from Mr. Nabulsi, Mr. Blades stated that there would not be any overhead canopy protection for the bus queuing area, noting that none exists currently and the area is located fairly remotely from the building itself.

Mr. McChord reviewed existing and proposed conditions, noting in particular that the goal is to improve water quality and improve peak flow, with no change to the wetland system. He reviewed existing drainage to a large wetland system on the east side of the property, noting that there is currently no pre-treatment and no detention system on the site. He explained that the new design would improve water quality overall, with two large detention basins added on the east side. He also noted proposed drainage/piping improvements on the south side that would improve drainage issues that have been ongoing for a residential property in that vicinity.

He stated that the project would take about 2 years to complete and that the applicant would be scheduling logistics meetings with fire, police and the school board. He

confirmed that no additional staff would be required for maintenance of the proposed systems.

Addressing the issue of bus queuing distance from the school itself, particularly during bad weather, Mr. Blades explained that the ability to load as many buses at once was cited as the main priority/concern for the school, with 15 buses being accommodated at one time out of 36 in total. He stated that the children are walked right out to the bus queuing location, noting that removal of the Pre-K vehicles will also help to speed up the loading process.

Mr. Wong asked the size/capacity that the renovation is designed to accommodate. Mr. Luther stated that it would accommodate 880 students for K-2 with a target enrollment of an additional 75 students for Pre-K, although he noted that exact enrollment numbers can't be provided since they vary over time. He explained that there is some potential for growth within the Pre-K program via re-purposing of certain areas, if needed, but he acknowledged that a universal Pre-K program, which is being discussed on the state level, would not be possible. He did not know exactly how many staff cars would need to be accommodated on the site, but he noted that parking needs were based on a BOE assessment as to what would be required.

Addressing a safety concern expressed by Mr. Wong with respect to the comingling of traffic, parking, and playground space, and a question as to whether parking towards the rear of the building was ever considered, Mr. Luther explained that the playground area will now be entirely in the back. He noted that none of the existing playground areas will be utilized by the school population and, in fact, most will be eliminated entirely.

In response to a question from Ms. Knapp regarding the actual size of the new play area, Mr. Blades explained that it is designed to accommodate/replace all the existing ones that are being lost, noting further that the paved play area will be as large as the existing one that is also being lost.

Mr. Healy stated that the applicant would provide those calculations to the Commission for the next meeting.

The applicant indicated that construction would begin at the end of December. Mr. Nerney urged the applicant to share its construction sequencing plans with the Commission.

Mr. Hulse asked if anyone wished to speak for or against the application.

There being no further comments from the Commission or the public, at approximately 9:40 P.M. the Public Hearing was continued until June 8, 2015.

REGULAR MEETING

- A.** Mr. Hulse called the Regular Meeting to order at 9:40 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. May 11, 2015 – Regular Meeting

MOTION was made by Ms. Poundstone, seconded by Ms. Knapp, and carried (8-0-1) to approve the minutes of May 11, 2015 as drafted. Mr. Hulse abstained.

C. SITE DEVELOPMENT PLAN REVIEW

D. ACCEPTANCE OF NEW APPLICATIONS

- 1. REG#15348, J. Casey Healy, c/o Gregory and Adams, P.C., Amend Section 29-7.E.6 of zoning regulations regarding area/bulk requirements for industrial zones**
- 2. SP#405, Lindquist, 658 Danbury Road, To allow an automotive sales and service facility pursuant to Section 29-6.B.3.o of zoning regulations**

It was the consensus of the Commission to schedule public hearings for both applications on July 27, 2015.

E. PENDING APPLICATIONS

- 1. SDP, Patrick Downend, 31 Old Danbury Road, Construction of 30-unit mixed income housing development pursuant to Section 8-30g of CT General Statutes**

Tabled.

- 2. SP#401, Calitri Revocable Trust (John Burke, Tr.), 46 Danbury Road, Renovation of gasoline station/convenience store, reconstruction of parking lot, misc. site modifications**

Tabled.

- 3. SP#402, Randall Luther, Tai Soo Kim Partners, Inc., Miller-Driscoll School, 217 Wolfpit Road, Building renovations and additions**

Tabled.

G. REPORT FROM CHAIRMAN

- 1. Reports from Committee Chairmen**

H. REPORT FROM PLANNER

I. FUTURE AGENDA ITEMS

- 1. SP#403, Westport Day School, 372 Danbury Road, School for special needs students pursuant to Section 29-6.B.3.s of zoning regulations
[P.H. June 22, 2015]**
- 2. SP#404, Wilton Youth Football, Inc., Middlebrook School, 131 School Road, Renovation of existing grass field to artificial turf
[P.H. June 22, 2015]**

J. ADJOURNMENT

MOTION was made by Ms. Poundstone, seconded by Ms. Knapp, and carried unanimously (9-0) to adjourn at approximately 9:50 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary