

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

## WILTON PLANNING & ZONING COMMISSION MINUTES JUNE 22, 2015 REGULAR MEETING

**PRESENT:** Vice-Chair Sally Poundstone, Secretary Doris Knapp, Commissioners Lori Bufano, John Comiskey, Bas Nabulsi, Peter Shiue, and Franklin Wong

**ABSENT:** Joe Fiteni, Christopher Hulse (both notified intended absences)

### ALSO

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

### 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**

Ms. Poundstone, acting as Chairwoman in the absence of Commissioner Hulse, called the Public Hearing to order at 7:15 P.M., seated members Bufano, Comiskey, Knapp, Nabulsi, Poundstone, and Shiue, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. She noted that the hearing was continued from a previous date.

Ms. Knapp referred for the record to email interchanges among Daphne White, Wendy Fratino and Casey Healy dated June 5, 2015, June 9, 2015 and June 15, 2015; a 2-page letter dated June 18, 2015 from J. Casey Healy to Planning and Zoning Commission, with attachments; a 2-page letter dated June 22, 2015 from J. Casey Healy to Planning and Zoning Commission, with attachments.

Present were J. Casey Healy, attorney; and Joe Canas, engineer, Tighe & Bond.

Mr. Healy reviewed his letter of June 18, 2015, referencing in particular Inland Wetlands Commission resolution of approval #0615-27WET for 31 Old Danbury Road; and a letter from Frederick P. Clark Associates confirming traffic counts along Station Road of 86

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vehicles during the morning peak hour and 69 vehicles during the weekday afternoon peak hour, both of which satisfy the minimum 60-trip count required by the Board of Education to consider installation of a bus stop in that area.

A discussion ensued between Mr. Nabulsi and Mr. Healy as to whether the applicant would be willing to install a sidewalk should it become necessary for the safety of school children. Both Mr. Healy and Mr. Nerney felt that such an improvement (which would be beyond the property under consideration) could not be required of the applicant, and if the applicant were to offer such an improvement of his own accord, Mr. Nerney felt it would be questionable as to whether it could be viewed as a condition of approval. Mr. Nerney noted the Board of Education's (BOE) opinion that an alternative bus stop location exists, referencing in particular the 49 Old Danbury Road yellow house whose children are currently picked up along Old Danbury Road. He noted that a culvert will be installed at Old Danbury Road/Danbury Road, acknowledging that it could be another possibility.

Mr. Healy stated that Mr. Downend does not wish to offer the sidewalk option since he felt that would likely preclude the Station Road/Old Danbury Road bus stop option from the BOE's consideration.

Mr. Wong arrived and was seated at approximately 7:25 P.M.

Mr. Healy highlighted an email from Wilton Volunteer Ambulance Corps (WVAC) President Linda Fratino advising that WVAC is satisfied with the applicant's responses to comments/questions set forth in the WVAC email dated May 9, 2015.

Mr. Nabulsi questioned the issue of snow removal and how to address the applicant's responsibilities in that regard within any resolution of approval. Mr. Healy referenced a document that was submitted to the Commission outlining in detail the responsibilities of contractors employed by the applicant for such services. He stated that said document could be referenced in the resolution.

Mr. Wong questioned whether the Town has any on-street parking rules during snow events/emergencies that might impact the proposed parking spaces on the east side of Old Danbury Road. Mr. Nerney stated his position that since the parking easement benefits the adjoining property owner, it would be said property owner's responsibility to keep the area clear. Mr. Healy stated that he was not aware of any restrictions regarding parking on Town streets during snow events.

Ms. Poundstone 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 7:30 P.M. the Public Hearing was closed.

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

Ms. Poundstone called the Public Hearing to order at approximately 7:30 P.M., seated members Bufano, Comiskey, Knapp, Nabulsi, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. She noted that the hearing was continued from a previous date. Ms. Knapp referred for the record to a memorandum dated June 11, 2015 from Jaime S. Katz To Whom It May Concern; and a 3-page letter dated June 18, 2015 from J. Casey Healy to Planning and Zoning Commission, with attachments.

Present were J. Casey Healy, attorney; Randall Luther, applicant; and Barry Blades, landscape architect.

Mr. Healy referenced his letter of June 18, 2015, highlighting in particular:

- 1) IWC resolution #0615-28WET dated June 17, 2015 approving the subject application;
- 2) Updated Form B reflecting required parking of 198 spaces (=109 for teacher/staff + 89 related to student enrollment) where 199 spaces are proposed;
- 3) Confirmation via submitted drawing that 15 buses can be queued as proposed;
- 4) Planting Plan reflecting an increase in native species to greater than 72% from the original 50% proposed;
- 5) Runoff to both drainage systems impacting Mr. Jamie Katz's property at 6 Holly Lane has been limited (per McChord letter of June 16, 2015).

Mr. Healy noted for the record that condition #6 in resolution of approval #0315-3P for temporary classrooms on the subject site incorrectly required removal of classrooms from the site by no later than August 15, 2016. He noted that the correct date should have read August 2017, and he requested correction of same.

In response to a question from Ms. Knapp, Mr. McChord stated that he was confident the proposed site drainage plan would result in reduced drainage flow toward the aforementioned Katz property.

In response to a question from Mr. Comiskey, Mr. Luther confirmed that the project is on budget and that any plan revisions to date had not impacted price projections.

From the perspective of calculating required parking for the site, Mr. Nabulsi asked for further clarification as to the applicant's definition of Full-Time Equivalent (FTE) staff, questioning in particular whether it was appropriate to exclude volunteer staff from the calculation.

Mr. Healy explained that the FTE number was developed by the Building Committee in conjunction with the school principal and her estimate of about 50 volunteer parents per day maximum. He felt that the number of required parking spaces, as calculated, adequately reflected these estimates.

Referencing the 15-bus queue depiction, Mr. Blades confirmed that the existing sidewalk would be extended to accommodate the additional queued buses above the 8 that are currently accommodated.

Mr. Wong stated that he was trying to better understand traffic flow on the site, particularly with respect to pre-school staggering of hours and pick-up times. Mr. Blades referenced the challenges of the site, noting that the plans reflect the applicant's assumption of a scenario where everything would be happening at the same time and they attempted to address that scenario as best they could. He felt that the plans as proposed represented the least amount of conflict in spite of the inherent constraints of the existing site. In particular, he noted that pre-k loading takes additional time and would occur along the curb line at the front door of the pre-k area.

Ms. Poundstone asked if anyone in the audience wished to speak for or against the application.

Mr. Wong questioned the closing of the Public Hearing based on questions/issues related to traffic flow, environmental, land fill and feasibility and security of the project.

There being no further comments from the Commission or the public, at approximately 8 P.M. the Public Hearing was closed.

**3. SP#403, Westport Day School, 372 Danbury Road, School for special needs students pursuant to Section 29-6.B.3.s of zoning regulations**

Ms. Poundstone called the Public Hearing to order at approximately 8:00 P.M., seated members Bufano, Comiskey, 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 June 9, 2015. She referred for the record to a letter dated June 17, 2015 from J. Casey Healy to Planning and Zoning Commission requesting a continuation of the hearing until July 13, 2015; and a 2-page Planning and Zoning Staff Report dated June 18, 2015.

Ms. Poundstone 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

8:03 P.M. the Public Hearing was continued, as requested by the applicant, until July 13, 2015.

**4. SP#404, Wilton Youth Football, Inc., Middlebrook School, 131 School Road, renovation of existing grass field to artificial turf**

Ms. Poundstone called the Public Hearing to order at approximately 8:03 P.M., seated members Bufano, Comiskey, 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 June 9, 2015. She referred for the record to a 3-page response letter dated June 22, 2015 from J. Casey Healy to Planning and Zoning Commission; an email dated June 22, 2015 from Jeff Herlyn to Casey Healy; a letter dated June 22, 2015 from Chris Skillin to Planning & Zoning Commission; a letter dated June 17, 2015 from Christopher Silva to Planning & Zoning; an email dated June 22, 2015 from John Thompson to Lorraine Russo; a letter received June 19, 2015 from Steven Wander to Planning and Zoning Commission; and a 2-page Planning and Zoning Staff Report dated June 18, 2015.

Ms. Bufano noted that her property was noticed as being within 500 feet of the subject site, but she felt it would not represent a conflict of interest for her.

Present were J. Casey Healy, attorney; Barry Blades, landscape architect; Holt McChord, engineer; and Joe Canas, engineer.

Mr. Healy briefly reviewed details of the proposed application, citing proposed replacement of the existing grass field with artificial turf and the provision of emergency access to the field where none exists currently. He explained that the field is a multi-purpose athletic field, which is also used at times for physical education classes. He stated that it is not in very good condition and hasn't been actively maintained, which precludes its use for field hockey and lacrosse.

Mr. Blades reviewed the posted site plan, noting that the field is 390 feet long by 200 feet wide, and will require some earth work since the new turf field will be wider than the area that is currently grass. He stated that the field will be fenced in completely; there will be no change to the existing parking area; handicapped accessibility from the parking lot to the field will be provided; an asphalt pad will be provided for possible future bleacher use; there will be retaining walls on the northeast and southeast corners with chain link fences above; and combination rain gardens/detention basin will be provided on the south end.

Mr. McChord reviewed the proposed drainage plan for the site, noting that the field would comprise slightly less than 2 acres although the area of disturbance would comprise approximately 3 acres in total. He explained that the first inch of runoff would

be treated via a large underground detention system such that water would seep through/infiltrate through layers into drains for discharge. He reviewed drainage components that are activated once there is a greater-than-1-inch quantity of rainfall, noting that multiple drainage devices are proposed to improve water quality. He referenced perimeter drainage that would discharge excess runoff, and a manhole that would break the flow of water from the site on the southwest corner and direct it into the wetlands. He referenced an erosion control plan to reduce/eliminate sediment and he discussed required maintenance in connection with the proposed catch basins and scour hole.

Mr. Canas discussed the chemical make-up of the proposed turf, referencing a posted “Proposed Treatment Train”. He explained that the artificial turf material (made from rubber tire components) contains various suspended solids including copper, lead, zinc, nitrogen and phosphorus, of which zinc is the only element for which treatment is recommended. In response to a question from Mr. Nabulsi, Mr. Canas explained that the source of the zinc is the rubber material itself. He explained that the proposed infiltration system will immobilize the zinc concentration under the turf and it will then eventually dissipate over time, noting that the zinc level will actually be less than in a naturally occurring residential setting due to the infiltration system proposed.

In response to a question from Mr. Wong, Mr. McChord explained further that the turf field has a binder on the bottom, then a choke layer of fine stone, followed by another stone layer so that no rubber particles will ever make it through to the bottom detention system. He noted that it is over-designed for a 100-year storm as opposed to the typical 25-year storm event.

Mr. Healy briefly reviewed his response letter dated June 22, 2015, addressing issues including lighting, tree removal, retaining wall height, and site coverage. He noted in particular that the proposed field renovations will increase site coverage by 4700 square feet or 0.3%, bringing total site coverage up to 22.46% where 35% is permitted by regulations.

Mr. Shiue cited many sports teams’ expressed displeasure with artificial turf, particularly with respect to injury statistics. He questioned the injury percentages for artificial turf versus natural grass fields.

Mr. Blades cited injury reports indicating that there are no significant differences in numbers between turf field and grass field injuries, although the types of injuries on the relative surfaces tend to be different.

Mr. Shiue also asked about the cost differential in connection with maintenance of the different surfaces. Mr. Healy stated that he would obtain some information on that and submit it to the Commission for the next hearing, although he recalled a Parks and

Recreation report from some years ago that found the turf alternative to be significantly less costly because of manpower and additional machinery costs associated with grass fields maintenance.

Mr. Comiskey questioned whether the proposed turf field is actually the best choice, particularly for the young athletes. He expressed concern that the proposed site modifications really stem from a desire for more wins among the sports teams, and he questioned whether the Town should instead make a concerted effort to improve the existing field, which he noted has been an eye sore for many years. He compared the subject field to Allen's Meadows which he noted is gorgeous and continues to be extremely well-maintained by the Town, and he questioned why Parks and Recreation staff couldn't devote similar attention to the Middlebrook field.

Mr. Healy explained that Parks and Recreation staff do not have time to work on the subject field because they are, in fact, working elsewhere. He noted that an additional \$10,000 was put in over the last few years, but with no appreciable improvement/change to the site. He stated further that there aren't enough fields to provide adequate practice time/space for the various sports teams in Town. He noted that the subject lot is virtually unusable for field hockey and lacrosse since it has been so beat up by football play.

Ms. Poundstone cited reports that she has read/heard indicating that artificial turf gets excessively hot during the summer months. Mr. Blades confirmed that fact, noting that heat builds up at the surface due to polyurethane fibers in the product, and it is particularly problematic in the southern part of the country. He explained that there have been attempts to ameliorate the heat build-up by utilizing irrigation systems but their cooling effect has been determined to be very short-lived. He stated that when the temperatures get too hot, the athletes are just taken off the field as is done when weather conditions are less than optimal with natural grass fields. He noted further, in response to Mr. Comiskey's observation that soccer players at the elite level of the sport are not happy with artificial turf, that such athletes are comparing artificial turf to a perfect grass field, whereas the Town's proposed turf field would replace an already terribly degraded grass field, and not a natural grass field in perfect condition.

In response to a question from Ms. Bufano regarding lighting, Mr. Blades explained that lights on the west side would need to be moved a few feet since their existing locations would fall right on the perimeter curb, resulting in better balancing/spacing of the lighting as well. He noted that the other lighting would also need to be moved (approximately 20-30 feet) due to where/how their current positions are falling with respect to the new field.

Mr. Nabulsi raised concerns about the safety of the retaining walls from the perspective of the athletes, noting that his concerns for safety during practice sessions are greater than during game times since play boundaries are more clearly defined during games. Mr. Healy stated that the applicant would look into padding or some other option to minimize

such a danger.

In response to a question from Mr. Comiskey pertaining to potential Town liability, particularly since it is not the Town that would be paying for the proposed improvements, Mr. Healy stated that this type of funding has been done in the past with no liability issues arising. Mr. Nerney noted further that the proposed site modifications have been before, and received the blessing of, the Board of Selectmen, which has the benefit of Town Counsel for guidance in that regard.

Ms. Poundstone asked if anyone wished to speak for or against the application.

Attorney Paul Sobel from Green and Gross, P.C. stated that he is representing the interests of William and Eliot Patty who live at 174 Ridgefield Road, which is near the field on the west side. He distributed handout packages dated June 22, 2015 from Paul A. Sobel to Wilton Planning and Zoning Commission. He briefly reviewed his letter, indicating that “the special permit application is incomplete, fails to provide adequate information . . . to determine compliance with . . . zoning regulations, seeks to perpetuate at least one known illegal condition, and must be denied.”

He referenced Section 29-10.A.9 of zoning regulations as the standards by which the Commission must abide during its review process. He noted: 1) the fact that location, size, height, orientation and design of outdoor lighting was not included in the application as required to determine compliance with regulations; 2) existing outdoor lighting that the applicant seeks to relocate per drawing L-101 is known to violate zoning regulations; 3) a class A-2 survey was not provided, nor was the location, dimensions, area, height and setback of all existing and proposed buildings, signs, fences and walls as required by Section 29-11.A.6.j.(1) of zoning regulations; and 4) Wilton Youth Football, Inc. lacks legal standing to have made the application.

He stated that various transcripts and court decisions were attached to his package for further Commission review.

He asked that he be able to review any lighting information submitted by the applicant’s lighting consultant, Mr. Dijack of Musco Sports Lighting.

Woodson Duncan, 123 Middlebrook Farm Road, distributed a handout/list of compounds/materials that may be found in tires, highlighting in particular latex and lead, which he noted are known to have a number of issues. He recalled going to a budget meeting recently at the school where he observed “latex-free zone” signs which he felt was a clear indication that many children suffer from latex allergies. He cited a \$2 million Parks and Recreation budget to maintain Town fields which he felt should be adequate for such purpose. He questioned why Wilton Youth Football is not maintaining the field since he felt they were responsible for destroying it. He stated that the Town



needs to think about this some more, especially since the rest of the country is beginning to rip out artificial turf due to problems that have begun to surface with the product. He cited a recent Yale study indicating that heat releases nanoparticles from the artificial turf into the atmosphere at a height of about 6-8 feet up where children would be inhaling the air. He also referenced research indicating that goalies are being diagnosed more frequently with cases of cancer.

Anthony LoFrisco, 33 Cider Mill Place, stated that the subject application is fatally flawed for all of the aforementioned reasons cited by Attorney Sobel, including the applicant's failure to comply with lighting regulations and the fact that the applicant has no legal standing. He cautioned the Commission against paying too much attention to vendors' assertions regarding product safety. He cited U.S. Women's Soccer team objections to artificial turf, referencing injuries and burns that can become entry points for MERSA infections. He disagreed with the argument that maintenance of grass is more expensive, noting that it is necessary to disinfect the turf-covered fields periodically, which is an added expense, and also to remove it if it ultimately doesn't work out for the Town, which would also be costly.

Chris Skillin, 86 Ryders Lane, stated that he volunteers for Town sports activities. He explained that the lacrosse season runs about 9-10 weeks from end of March to first week in June, and since field use early on in the season is severely limited due to weather conditions, kids have to share the two existing artificial turf fields in Town (which he noted, as an aside, were privately funded). He explained further that it is impractical to accommodate this number of kids with the existing infrastructure, which has resulted in organizations such as Wilton Youth Football offering to fund the subject field for the benefit of the Town and its sports programs. He felt that the Town is currently unable to provide a good sports experience for the kids. He stated that the science is unproven with respect to the MERSA and cancer allegations and he cited a cost benefit to the Town to not have to maintain a grass field.

Mr. Nerney recommended sending Attorney Sobel's correspondence to Town Counsel for review.

There being no further comments from the Commission or the public, at approximately 9:40 P.M. the Public Hearing was continued until July 13, 2015.

## **REGULAR MEETING**

- A.** Ms. Poundstone called the Regular Meeting to order at 9:40 P.M., seated members Bufano, Comiskey, Knapp, Nabulsi, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

**B. APPROVAL OF MINUTES**

**1. June 8, 2015**

MOTION was made by Mr. Nabulsi, seconded by Ms. Poundstone, and carried (4-0-2) to approve the minutes of June 8, 2015 as drafted. Commissioners Bufano and Shiue abstained. Ms. Knapp was not present during the vote.

**C. SITE DEVELOPMENT PLAN REVIEW**

**D. ACCEPTANCE OF NEW APPLICATIONS**

**1. SUB#913, Wheeler, 19 Valeview Road, 2-lot subdivision**

It was the consensus of the Commission to tentatively schedule a public hearing for SUB#913 on Tuesday, September 15, 2015, with the understanding that the applicant will need to grant the Commission a time extension to schedule the application on that date.

**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**

The Commission reviewed/discussed Draft resolution #0615-4Z.

A condition was added to address snow removal on the site.

Mr. Wong raised objections related to parking proposed on the opposite side of the road (i.e. east side of Old Danbury Road), which he noted was a point of objection for Commissioner Fiteni as well.

Mr. Nabulsi felt that, on balance, and after revisiting the site and considering the terrain and various other parking options, the current proposal represents the best balance of the various issues and is therefore acceptable in his view.

Mr. Nerney noted for the record that the application is an 8-30g application and thus the

Commission is only permitted to consider standards of health and safety in its review and whether such issues would outweigh the need for affordable housing in the Town.

Mr. Nabulsi expressed concern that the Commission was leaving too much to chance with respect to the Board of Education (BOE) approving the applicant's proposed bus stop at Station Road/Old Danbury Road. A discussion ensued as to whether the Commission would have the authority to impose a condition involving the BOE and its action/decision in that regard. Most Commissioners were inclined to believe that the Commission does not have such authority, although Mr. Nabulsi felt strongly that it is the Commission's responsibility to address the issue of safety. Mr. Nerney noted that the Town (i.e. the BOE) has a responsibility to provide safe bus pick-up service for the children.

After further discussion and to address the issue of safety, it was the consensus of the Commission to require a pedestrian connection over the emergency access way on Old Danbury Road, constructed to the satisfaction of the Planning and Zoning Department staff, thus providing a safe walkway for children in that area should the bus stop ultimately be installed at the intersection of Danbury Road/Old Danbury Road instead of at the applicant's preferred bus stop at Station Road/Old Danbury Road.

**MOTION** was made by Ms. Knapp, seconded by Ms. Bufano, and carried (6-1-0) to adopt as amended Resolution #0615-4Z for **SDP at 31 Danbury Road**, effective June 25, 2015. Mr. Wong opposed.

**WHEREAS**, the Wilton Planning and Zoning Commission has received a Site Development Plan application from Patrick Downend to allow the construction of a residential apartment building for 30 dwelling units (9 affordable-restricted) under Connecticut State Statutes §8-30g, for property at 31 Old Danbury Road, in a Single Family (R-1A) District; property also known as Assessor's Map #74, Lot #25, 1.008± acres; owned by the Town of Wilton and shown on the plans entitled:

Compilation Plan Depicting Lot Line Revision, Prepared for Town of Wilton, Prepared by Paul A. Brautigam, surveyor, dated February 24, 2015, scale 1"=40', no sheet #.

General Notes, Standard Abbreviation, and Legend, Prepared for Station Place, Prepared by John W. Block and Andrew P. White, engineers, dated April 10, 2015, no scale noted, sheet #C.100.

Site Plan, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 5, 2015 - revision prepared by Joseph A. Canas Jr. and Dana C. Huff, scale 1"=40' (appears to be 20 scale), sheet #C.101.

Site Drainage and Utility Plan, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 19, 2015-

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revision prepared by Joseph A. Canas Jr. and Dana C. Huff, scale 1"=20', sheet #C.102.

Old Danbury Road Roadway and Sanitary Plan and Profile, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 19, 2015 – revision prepared by Joseph A. Canas Jr. and Dana C. Huff, scale 1"=40', sheet #C.103.

Site Soil Erosion and Sedimentation Control and Grading Plan, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 5, 2015– revision prepared by Joseph A. Canas Jr. and Dana C. Huff, scale 1"=20, sheet #C.200.

Site Soil Erosion and Sedimentation Control Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, scale as noted, sheet #C.201.

Site Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 5, 2015– revision prepared by Joseph A. Canas Jr. and Dana C. Huff, not to scale, sheet #C.300.

Site Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 5, 2015– revision prepared by Joseph A. Canas Jr. and Dana C. Huff, not to scale, sheet #C.301.

Site Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, not to scale, sheet #C.302.

Storm Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, not to scale, sheet #C.303.

Storm Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, not to scale, sheet #C.304.

Storm Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 5, 2015– revision prepared by Joseph A. Canas Jr. and Dana C. Huff, not to scale, sheet #C.305.

Storm Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, revised June 5, 2015– revision prepared by Joseph A. Canas Jr. and Dana C. Huff, not to scale, sheet #C.306.

Sanitary Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, not to scale, sheet #C.307.

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Water Service Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, not to scale, sheet #C.308.

Electric and Tel-Data Service Details, Prepared for Station Place, Prepared by John W. Block and Andrew P. White (Tighe&Bond), engineers, dated April 10, 2015, not to scale, sheet #C.309.

Fire Truck Turning Movement Plan Exit Movement, Prepared for Station Place, Prepared by Tighe&Bond, engineers, dated April 10, 2015, not to scale (reduced plan 11”X17” size), sheet #AT.01.

Fire Truck Turning Movement Plan Exit Movement, Prepared for Station Place, Prepared by Tighe&Bond, engineers, dated April 10, 2015, not to scale, sheet #AT.02.

Landscape & Wetland Buffer Enhancement Plan, Prepared for Station Place, Prepared by Katherine E. Throckmorton (Environmental Land Solutions), landscape architect, dated April 16, 2015, revised May 21, 2015, scale 1”=20’, sheet #LP-1.

Wetland Buffer Enhancement Plan-2, Prepared for Station Place, Prepared by Katherine E. Throckmorton (Environmental Land Solutions), landscape architect, dated May 28, 2015, revised June 8, 2015, scale 1”=20’, sheet #WET-1.

Site Photometric Calculation Lumec Metroscape Layout, Prepared for Old Danbury Road, Prepared by Apex Lighting Solutions, lighting company, dated April 9, 2015, scale 1”=20’, sheet #L-1E.

Site Photometric Calculation Lumec Metroscape Layout, Prepared for Old Danbury Road, Prepared by Apex Lighting Solutions, lighting company, dated April 9, 2015, scale 1”=20’, sheet #L-1F.

Vicinity Map, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, dated April 14, 2015, scale 1”=100’, sheet #SP.101.

Title page, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, date noted for submission April 2015.

Basement/Garage Level Floor Plan, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, dated April 14, 2015, scale 1/8”=1’, sheet #A.100.

First Floor Plan, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, dated April 14, 2015, scale 1/8”=1’, sheet #A.101.

Second & Third Floor Plan, Typical, Prepared for Station Place, Prepared Bennett Sullivan

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Associates, architects and planners, dated April 14, 2015, scale 1/8"=1', sheet #A.102.

Roof Plan, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, dated April 14, 2015, scale 1/8"=1', sheet #A.103.

Exterior Elevations, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, dated April 14, 2015, scale 1/8"=1', sheet #A.200.

Exterior Elevations, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, dated April 14, 2015, scale 1/8"=1', sheet #A.201.

Elevation Comparison w/ Wilton Commons, Prepared for Station Place, Prepared Bennett Sullivan Associates, architects and planners, dated May 26, 2015, (reduced copy 11"X17" size), scale 1/16"=1', sheet #A.202.

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on May 11, 2015, May 26, 2015, June 8, 2015 and June 22, 2015 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

**WHEREAS**, the applicant has received approval on June 17, 2015 from the Inland Wetlands Commission as evident by Inland Wetland Permit #2313.

**WHEREAS**, the Planning and Zoning Commission has determined that the application comports with the enabling provisions of Connecticut General Statutes §8-30g concerning reasonable safety and public health requirements;

**WHEREAS**, the Planning and Zoning Commission finds the application consistent with key provisions contained within the 2010 Plan of Conservation and Development which encourages higher density development near and around the town center; and

**WHEREAS**, the Planning and Zoning Commission finds the application consistent with the goal of promoting affordable housing needs.

**NOW THEREFORE BE IT RESOLVED** that the Wilton Planning and Zoning Commission **APPROVES** the Site Development Plan application for 31 Old Danbury Road to allow the construction of a residential apartment building for 30 dwelling units (including 9 affordable-restricted units), for the property located at 31 Old Danbury Road, effective June 25, 2015; subject to the following conditions:

**GENERAL 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 United States Government. Obtaining such permits or licenses is the responsibility of the applicant.

2. In accordance with Section 8-3.(i) of the Connecticut General Statutes, all work or physical improvements required and/or authorized by the approved Special Permit site plan shall be completed within five years of the effective date of this resolution. This five-year period shall expire on June 25, 2020.
3. Issuance of a zoning permit is subject to the applicant obtaining title to property at 31 Old Danbury Road along with all necessary easements as shown on submitted and approved plans.
4. Following transfer of property at 31 Old Danbury Road to the applicant, applicant in return shall furnish the Town with an easement permitting the Town the right to discharge storm water runoff onto applicant's property as shown on approved plans. Such easement shall be satisfactorily drafted and executed by both parties prior to issuance of a zoning permit.
5. Rooftop mechanical equipment shall be screened so as to prevent visibility from public rights-of-way. Any required screening shall be subject to Planning and Zoning Department review and approval.
6. The applicant shall record an agreed upon housing affordability plan in the Town of Wilton Land Records following final review by Town legal counsel. No less than five (5) of the designated affordable units shall be made available to those families who earn 60% or less of either the State or area medium income; whichever less. No less than four (4) of the designated affordable units shall be made available to those families who earn 80% or less of either the State or area medium income; whichever is less. The housing affordability plan shall be filed prior to the issuance of a zoning permit and a copy of the filed (recorded) plan shall be submitted to the Town Planner.
7. In accordance with the approved engineering plan, the existing historic stone wall on the west side of Old Danbury Road shall be protected and maintained as a landscape feature. In addition, an adjacent 28" oak tree, also referenced on the approved plans, shall be preserved to the extent possible.
8. In order to facilitate rapid medical response, the proposed elevator shall be designed with an interior width/depth dimension measuring no less than 6'8" x 5'5½". Access and direction/instructions to the building, including entry to the elevator, shall be provided to all emergency departments; specifically the fire and WVAC departments.
9. The applicant shall provide copies of approval from Aquarion Water Company and the Wilton Water Pollution Control Authority granting approval for water and sewer service connections. Said authorization shall be submitted to the Wilton Planning and Zoning Department staff prior to the issuance of a zoning permit.
10. The applicant's engineer shall coordinate the final connection point to the public sanitary sewer with Wilton's Department of Public Works, and shall submit any additional plans or details requested by the Town's engineers. Said information shall be provided prior to the issuance of any zoning permit and shall be subject to the satisfaction of the Wilton Department of Public Works and the Wilton Pollution Control Authority.

11. A bond estimate shall be provided by the applicant to the Town Planner, which shall include and will be limited to sedimentation and erosion controls. The applicant shall furnish to the Town a bond with proper surety, in form and amount satisfactory to the Commission's land use counsel and Wilton's Town Planner, prior to the issuance of any zoning permit.
12. All light fixtures shall be of the type submitted by the applicant's attorney and landscape architect, which were reviewed and approved by the Planning and Zoning Commission. The light fixtures shall comply with specifications and requirements outlined in Section 29-9.E of the Zoning Regulations.
13. The applicant shall install the revised ADA yard drain grates to be located in the rear yard recreation area as shown on the engineer's plans entitled Storm Details, Sheet #305, dated April 10, 2015, revised June 5, 2015.
14. All storm water system maintenance recommendations set forth in the engineering report prepared by John W. Block and Andrew P. White of Tighe & Bond, dated April 14, 2015, shall be employed in accordance with report recommendations.
15. Any sewer improvements located within the Station Road and Old Danbury Road right-of-way shall be dedicated as a public sewer. The applicant shall grant the Town all necessary easements on, under and over the site for all utilities.
16. All electric, telephone and other cable supplied services shall be installed underground.
17. Erosion control plans shall be strictly enforced. Public roads shall be swept clean of all dirt and debris at the end of each day.
18. There shall be no construction activities on the site on Sundays or federal holidays. All construction related activities shall be limited between the hours 7:00 A.M. and 6:00 P.M. Monday through Friday and between the hours of 8:00 A.M. and 6:00 P.M. on Saturdays. This condition does not apply to interior finish work performed within a fully-enclosed building.
19. A copy of this resolution shall be given to the construction manager and shall be available on site during construction.
20. All signage shall comply with Section 29-8.A. of the Zoning Regulations.
21. Mechanical equipment and refuse containers shall be screened from view on all sides.
22. The applicant shall adhere to the "Snow Removal Maintenance Agreement" submitted to the Commission on June 8, 2015.

**SUBMITTAL OF REVISED PLANS AND APPLICATION:**

23. Three (3) completed revised sets, (collated and bound) shall be submitted to the Commission's office for endorsement as "Final Approved Plan" by the Town Planner prior to the issuance of a zoning permit. 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. "According to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this site plan shall be completed within five years after the approval of the plan. Said five-year period shall expire on June 25, 2020."



b. "For conditions of approval for this Site Development Plan, see Resolution #0615-4Z."

**PRIOR TO THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE:**

24. The applicant shall submit an as-built survey showing building and site coverages, prior to the issuance of a zoning compliance certificate.
25. The applicant shall submit an as-built plan of the subsurface drainage signed and stamped by the applicant's field engineer, prior to receiving a zoning compliance certificate.
26. An emergency access drive with gate or removable bollards shall be established on Old Danbury Road in a location as shown on the applicant's engineering plan, sheet #C.101, dated April 10, 2015 and revised June 5, 2015. The emergency access road shall be subject to approval by the Director of Public Works. A pedestrian connection shall be established over the emergency access way, constructed to the satisfaction of the Planning and Zoning Department staff.
27. An affordability compliance report shall be submitted annually to the Planning and Zoning Department, no later than January 31<sup>st</sup> of each year.

- END RESOLUTION -

**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**

The Commission reviewed/discussed Draft resolution #0615-9P.

Mr. Nabulsi stated that he was troubled by signage nonconformity on the site, citing his opinion that signage should not be considered grandfathered while other areas of the site are being modified to such a large degree. He felt that the scope of the proposed site renovations/modifications essentially represented a fresh start for the property and thus required conformance on all levels, referencing in particular the canopy aspect of signage.

Mr. Nerney felt that it would be virtually impossible to have a perfect application with a property of this (undersized) size in this zone, noting that the alternative is to leave the property as is, to not improve it, and to allow it to fall into disarray over time. Overall, he felt that there needs to be a little "give and take" in circumstances of this type. Ms. Poundstone agreed, referencing the uniqueness of the size of the property as well as the longevity of the existing business.

MOTION was made by Mr. Nabulsi, seconded by Ms. Knapp, and carried unanimously (7-0) to adopt as drafted Resolution #0615-9P for SP#401, effective June 25, 2015.

**WHEREAS**, the Wilton Planning and Zoning Commission has received a Special Permit

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application (**SP #401**) from John D. Burke, Trustee, for improvements involving the renovation of an existing motor vehicle service station including removal of service bays, expansion of convenience store, demolition of one office building, the replacement of underground fuel storage tanks and additional site work for the property located at 46 Danbury Road; in a Design Enterprise “DE-5” zoning district, Assessor’s Map #68, Lot #34, comprising 0.617 acres of land; owned by Calitri Revocable Trust, John D. Burke, Trustee and shown on the plans entitled:

Topographic Survey, prepared for Ida A. Calitri, Trustee, John D. Burke, Successor Trustee of the Calitri Revocable Trust, prepared by Douglas R. Faulds, land surveyor, dated July 14, 2014, Revised May 29, 2015, scale 1”=20’;

Property Survey, prepared for Ida A. Calitri, Trustee, John D. Burke, Successor Trustee of the Calitri Revocable Trust, prepared by Douglas R. Faulds, land surveyor, dated July 2, 2014, scale 1”=20’;

Vicinity Sketch Parcel Map, prepared for John Burke, dated December 12, 2014 and January 14, 2015, scale 1”=200’;

Cover sheet and location map, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 14, 2015, last revised June 2, 2015, scale 1”=800’;

Demolition Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale 1”=20’, sheet #C-0;

Site Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale 1”=20’, sheet #C-1;

Tanker Movement Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale 1”=20’, sheet #C-1.1;

Grading & Drainage Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale 1”=20’, sheet #C-2;

Utility Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale 1”=20’, sheet #C-3;

Photometric Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale 1”=20’, sheet #C-4;

Planting Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated March 23, 2015, last revised June 2, 2015, scale as noted, sheet #C-5;

Site Details, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #C-6.0;

Site Details, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #C-6.1;

Site Details, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #C-6.2;

Erosion & Sedimentation Control, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #ES-1;

UST and Piping Plan, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #UST-1;

UST Details, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #UST-2.0;

UST Details, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #UST-2.1;

UST Details, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #UST-2.2;

Existing Floor Plan Building, Canopy & Sign Elevations, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #A-0.0;

Proposed Floor Plan Building, Canopy & Sign Elevations, prepared for John Burke, prepared by Ryan G. Scrittorale, engineer, dated April 6, 2015, last revised June 2, 2015, scale as noted, sheet #A-1.0;

**WHEREAS**, the Wilton Planning and Zoning Commission conducted a public hearing on May 26, 2015 continuing to June 8, 2015 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

**WHEREAS**, the Wilton Planning and Zoning Commission has determined that, given planned improvements to site lighting, driveway turning radii, landscaping, pedestrian sidewalks, parking and lighting, the application as presented, reduces the non-conformity of the property in a manner that is consistent with the Wilton Zoning Regulations;

**NOW THEREFORE BE IT RESOLVED** that the Wilton Planning and Zoning Commission **APPROVES** Special Permit #401 for improvements involving the renovation of an existing motor vehicular service station and convenience store, the replacement of underground fuel tanks and additional site work for the property located at 46 Danbury Road, effective June 25, 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 Statutes, all work or physical improvements required and/or authorized by the approved Special Permit shall be completed within five years of the effective date of this resolution. This five-year period shall expire on June 25, 2020.
3. The Commission finds the canopy to be a legal non-conforming structure with respect to location and use of the structure to display two signs. Consequently, the canopy shall not be physically changed, modified or expanded in any manner. Existing signs on the canopy may be changed to display a different brand name; however, such signs shall not be expanded in quantity or increased in area. Allowable canopy-mounted signs shall not be illuminated.
4. The applicant may reface the existing pole-mounted sign; however, the area, location and height of such sign shall not be increased, extended or modified in any manner which increases the legal non-conforming status of the sign. The pole-mounted sign shall not be internally-illuminated. External illumination of the pole-mounted sign may be permitted subject to Planning and Zoning Department staff review and approval.
5. The applicant shall consult with the adjoining property owner to the immediate south to discuss the feasibility of trimming, removing or relocating an existing forsythia bush so as to improve vehicular sight visibility.
6. Subject to authorization from the State of Connecticut Department of Transportation, the applicant shall construct a missing sidewalk link along the Route 7 frontage. If authorized, the sidewalk shall be constructed in a manner consistent with approved plans.
7. Rooftop mechanical equipment shall be screened so as to prevent visibility from public rights-of-way. Any required screening shall be subject to Planning and Zoning Department review and approval.
8. The sale of all food and beverage products shall be operated and managed under the principle service station business and shall not be conducted, owned or managed by a separate business or franchise entity.
9. An itemized bond estimate and corresponding bond shall be submitted to the Commission's staff, which shall be limited to sedimentation and erosion controls. The applicant shall furnish the Town with proper surety, in the form and amount satisfactory to the Commission's staff prior to the issuance of a zoning permit.
10. This special permit approval shall become valid upon the applicant's recording of a Land Record Information Form (to be provided by Planning and Zoning Department) with the Office of the Wilton Town Clerk. The applicant shall provide the Planning and Zoning Department documentation verifying the recording of such document prior to the issuance of a zoning permit.

11. The applicant shall provide “No Parking” pavement designations along part of the northerly and southerly borders of the property as shown on the applicant’s Site Plan, Sheet #C-1, dated April 6, 2015 and last revised June 2, 2015.
12. Directional signage entitled “Store Parking in Rear” shall be installed on the north and south sides of the convenience store.
13. The installation of signage shall be subject to the approval and permit granted by the Zoning Enforcement Officer. All signage shall be either non-illuminated or illuminated by means of external lighting. Signage shall comply with all other requirements set forth in the Zoning Regulations.
14. A site meeting shall be held with the Town Planner or Assistant Town Planner and the construction manager prior to the commencement of construction to review erosion controls and the proposed schedule of operations.
15. The name and phone number of the construction manager shall be provided to either the Town Planner or Assistant Town Planner. Written notification to either the Town Planner or the Assistant Town Planner shall be provided at least two (2) business days in advance of initial site disturbance.
16. A copy of this resolution shall be given to the construction manager and shall be available on site during construction.
17. The location of any temporary construction trailers on the site shall be approved by the Town Planner or the Assistant Town Planner.
18. Erosion control plans shall be strictly enforced. Vehicular access points to public roads shall be swept clean of all dirt and debris at the end of each day.
19. All light fixtures shall be installed with no visible light sources.
20. There shall be no construction activities on the site on Sundays or federal holidays. The hours of construction shall be between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturdays. These restrictions shall not apply to interior work within the building.

**Prior to the issuance of a zoning permit:**

21. 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. "According to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Special Permit shall be completed within five years following approval. Said five-year period shall expire on June 25, 2020."
  - b. "For conditions of approval for Special Permit #401, see **Resolution #0615-9P.**"

**Prior to the issuance of Certificate of Zoning Compliance:**

22. An as-built photometric plan shall be provided to the Commission's staff prior to the issuance of a zoning certificate of compliance. The as-built plan shall be consistent with the photometric plan approved by the Commission. All light fixtures shall be consistent with the cut-sheets and specifications submitted to the Planning and Zoning Commission.
23. The applicant shall, by way of a Connecticut licensed professional engineer, certify in writing that all improvements associated with the site and engineering plans, underground oil tanks and storm water management report, have been performed in accordance with the approved submission.
24. The applicant shall submit an as-built survey, by way of a Connecticut licensed land surveyor, showing building setbacks and building and site coverages, prior to the issuance of a zoning compliance certificate.

- END RESOLUTION -

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

The Commission reviewed/discussed Draft resolution #0615-10P.

It was the consensus of the Commission to correct the deadline date for removal of the temporary classrooms, as discussed during the public hearing, via a future Communications item as opposed to addressing said issue within the body of the subject resolution.

Mr. Wong stated that he still had questions/issues with many items pertaining to the subject application, including but not limited to grading, electrical systems, environmental concerns, traffic flow, parking safety, issues of on-site security, etc.

Ms. Knapp observed that if the application had involved new construction for a whole new school then the Commission would have greater control over all aspects of the application.

Mr. Wong noted in particular that he didn't hear any details regarding a formal security plan during the public hearing process. Mr. Nerney noted that the Police Department had been actively involved throughout the application process/hearing. Ms. Knapp recalled discussions pertaining to security issues during the portable classrooms application, including discussions about security badges and areas being closed off during construction and demolition of the peach section of the building. She felt an assumption could likely be made that those safety/security policies/procedures would be similar during this portion of the construction process as well.

Mr. Nabulsi noted for the record that he was troubled by the way parking space

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requirements were calculated (i.e. he felt that the number of required parking spaces was essentially a backed-into number), noting that he would have felt more comfortable had the applicant simply asked the Commission to waive parking spaces, if that were deemed to have been necessary.

MOTION was made by Ms. Poundstone, seconded by Ms. Knapp, and carried (6-1-0) to adopt as drafted Resolution #0615-10P for SP#402, effective June 25, 2015. Mr. Wong opposed.

**WHEREAS**, the Wilton Planning and Zoning Commission has received a Special Permit application (SP #402) from Tai Soo Kim Partners, Inc., for improvements involving the renovation of the existing Miller Driscoll school building and for additional modifications to the play areas, parking, lighting and plantings, for the property located at 217 Wolfpit Road; in a Single Family Residence “R-2A” zoning district, Assessor’s Map #99, Lot #6, comprising 33.7 acres of land; owned by the Town of Wilton and shown on the plans entitled:

Cover sheet, prepared for Miller Driscoll School, prepared by Tai Soo Kim Partners, architects, dated May 6, 2015, revised May 21, 2015, no scale noted;

Topographic Survey, prepared for Town on Wilton, prepared by Richard A. Bunnell, land surveyor, dated July 14, 2014, Revised January 20, 2015, scale 1”=80’, sheet #1 of 1;

Overall Site Plan, prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, last revised June 14, 2015, scale 1”=50’, sheet #L100;

Layout Plan-West, prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, scale 1”=30’, sheet #L101;

Layout Plan-East (formerly noted as west), prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, scale 1”=30’, sheet #L102;

Grading Plan-West (formerly noted as east), prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, scale 1”=30’, sheet #L201;

Grading Plan-West (formerly noted as east), prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, scale 1”=30’, sheet #L202;

Planting Plan-West (formerly noted as east), prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, last revised June 15, 2015, scale

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1"=30', sheet #L301;

Planting Plan-East (formerly noted as west), prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, last revised June 14, 2015, scale 1"=30', sheet #L302;

Courtyard Plans, prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, scale as noted, sheet #L401;

Signage & Pavement Markings Plan- East (formerly noted as west), prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, scale 1"=30', sheet #L501;

Signage & Pavement Markings Plan- West (formerly noted as east), prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, scale 1"=30', sheet #L502;

Site Details, prepared for Miller Driscoll School, prepared by Barry M. Blades, landscape architect, dated May 6, 2015, Revised May 21, 2015, not to scale, sheet #L602;

Code Plan, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale as noted, sheet #A0.03;

Lower Level Plan, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale 1/8"=1', sheet #A1.00;

Level 1 Plan Part A, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale 1/8"=1', sheet #A1.01A;

Level 1 Plan Part B, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale 1/8"=1', sheet #A1.01B;

Level 1 Plan Part C, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale 1/8"=1', sheet #A1.01C;

Level 1 Plan Part D, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale 1/8"=1', sheet #A1.01D;

Level 1 Plan Part E, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale 1/8"=1', sheet #A1.01E;

Roof Plan Part A, B, and C, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 21, 2015, scale as noted, sheet #A1.02;



Roof Plan Part C, D, and E, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 21, 2015, scale 1/16"=1', sheet #A1.03;

Exterior Elevations, prepared for Miller Driscoll School, prepared by Randall S. Luther, architect, dated May 6, 2015, scale 1/16"=1', sheet #A3.00;

Overall Site Utility Plan, prepared for Miller Driscoll School, prepared by Holt W. McChord, engineer, dated May 6, 2015, scale 1"=50', sheet #C100;

Site Utility Plan-West, prepared for Miller Driscoll School, prepared by Holt W. McChord, engineer, dated May 6, 2015, scale 1"=30', sheet #C101;

Site Utility Plan-East, prepared for Miller Driscoll School, prepared by Holt W. McChord, engineer, dated May 6, 2015, scale 1"=30', sheet #C102;

Soil and Erosion Control Plan-West, prepared for Miller Driscoll School, prepared by Holt W. McChord, engineer, not dated, scale 1"=30', sheet #C200;

Soil and Erosion Control Plan-West, prepared for Miller Driscoll School, prepared by Holt W. McChord, engineer, not dated, scale 1"=30', sheet #C201;

Construction Notes and Details, prepared for Miller Driscoll School, prepared by Holt W. McChord, engineer, dated May 6, 2015, scale as noted, sheet #C300;

Construction Notes and Details, prepared for Miller Driscoll School, prepared by Holt W. McChord, engineer, dated May 6, 2015, scale as noted, sheet #C301;

Miller Driscoll Site revision, prepared for Miller Driscoll School, prepared by David Mainville, Vanguard Lighting, dated May 14, 2015, no scale noted, sheet #M of 1;

**WHEREAS**, the Wilton Planning and Zoning Commission conducted a public hearing on May 26, 2015, continuing to June 8, 2015 and June 22, 2015 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

**WHEREAS**, the applicant has received approval on June 17, 2015 from the Inland Wetlands Commission as evident by Inland Wetland Permit #2317; and

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

**NOW THEREFORE BE IT RESOLVED** that the Wilton Planning and Zoning Commission **APPROVES** Special Permit #402 for improvements involving the renovation of the existing

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Miller Driscoll school building and for additional modifications to the play areas, parking, lighting and plantings, for the property located at 217 Wolfpit Road, effective June 25, 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 Statutes, all work or physical improvements required and/or authorized by the approved Special Permit shall be completed within five years of the effective date of this resolution. This five-year period shall expire on June 25, 2020.
3. All rooftop mechanical equipment shall be screened so as to prevent visibility from public rights-of-way. Any required screening shall be subject to Planning and Zoning Department review and approval prior to issuance of a certificate of zoning compliance.
4. The applicant shall maintain sedimentation and erosion controls measures between the commencement of construction and final stabilization of the property. Dust control measures shall be employed when deemed necessary by the Planning and Zoning Department.
5. This special permit approval shall become valid upon the applicant's recording of a Land Record Information Form (to be provided by Planning and Zoning Department) with the Office of the Wilton Town Clerk. The applicant shall provide the Planning and Zoning Department documentation verifying the recording of such document prior to the issuance of a zoning permit.
6. All storm water system maintenance recommendations set forth in the Stormwater Management Report prepared by Holt W. McChord, engineer, dated May 6, 2015, shall be employed in accordance with the report recommendations.
7. The proposed site lighting shall be implemented in accordance with the lighting plan submitted to the Planning and Zoning Commission. Said plan shall be reviewed by the Planning and Zoning staff prior to the issuance of a zoning permit.
8. The revised planting plans submitted by landscape architect, Barry M. Blades, dated May 6, 2015, with a final revision date of June 15, 2015, sheets L301 and L302, shall be included in the final revised set of approved plans.
9. A site meeting shall be held with the Town Planner or Assistant Town Planner and the construction manager prior to the commencement of construction to review erosion controls and the proposed schedule of operations.
10. The installation of signage shall be subject to the approval and permit granted by the Zoning Enforcement Officer. All signage shall be either non-illuminated or illuminated by means of external lighting. Signage shall comply with all other requirements set forth in the Zoning Regulations.
11. The name and phone number of the construction manager shall be provided to either the Town Planner or Assistant Town Planner. Written notification to either the Town Planner

or the Assistant Town Planner shall be provided at least two (2) business days in advance of initial site disturbance.

12. A copy of this resolution shall be given to the construction manager and shall be available on site during construction.
13. The location of any temporary construction trailers on the site shall be approved by the Town Planner or the Assistant Town Planner.
14. Erosion control plans shall be strictly enforced. Vehicular access points to public roads shall be swept clean of all dirt and debris at the end of each day.
15. All light fixtures shall be installed with no visible light sources.
16. There shall be no construction activities on the site on Sundays or federal holidays. The hours of construction shall be between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. on Saturdays. These restrictions shall not apply to interior work within the building.

**Prior to the issuance of a zoning permit:**

17. 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. "According to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Special Permit shall be completed within five years following approval. Said five-year period shall expire on June 25, 2020."
  - b. "For conditions of approval for Special Permit #402, see **Resolution #0615-10P.**"

**Prior to the issuance of Certificate of Zoning Compliance:**

18. An as-built photometric plan shall be provided to the Commission's staff prior to the issuance of a zoning certificate of compliance. The as-built plan shall be consistent with the photometric plan approved by the Commission. All light fixtures shall be consistent with the cut-sheets and specifications submitted to the Planning and Zoning Commission.
19. The applicant shall verify that all drainage improvements have been completed in accordance with approved plans. Such verification shall include an as-built drainage plan and a letter signed and stamped by a Connecticut-licensed engineer.
20. The applicant shall submit an as-built survey, by way of a Connecticut licensed land surveyor, showing building setbacks and building and site coverages, prior to the issuance of a zoning compliance certificate.

**F. COMMUNICATIONS**

**G. REPORT FROM CHAIRMAN**

- 1. Reports from Committee Chairmen**

**H. REPORT FROM PLANNER**

**I. FUTURE AGENDA ITEMS**

- 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 [P.H. July 27, 2015]**
- 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 [P.H. July 27, 2015]**

**J. ADJOURNMENT**

**MOTION** was made by Ms. Knapp, seconded by Mr. Nabulsi, and carried unanimously (7-0) to adjourn at approximately 10:45 P.M.

Respectfully submitted,

Lorraine Russo  
Recording Secretary