

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

WILTON PLANNING & ZONING COMMISSION MINUTES JULY 27, 2015 REGULAR MEETING

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

ABSENT: John Comiskey (notified intended absence)

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

Mr. Hulse called the Public Hearing to order at 7:16 P.M., seated members Bufano, Fiteni, Hulse, Knapp, Nabulsi, Poundstone, Shiue, and Wong, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. He noted that the applicant requested a continuance of the hearing until the next meeting.

Ms. Knapp referred for the record to a letter dated July 23, 2015 from J. Casey Healy to Planning and Zoning Commission requesting a continuance of the hearing until September 15, 2015 and granting the Commission an extension of the deadline to close the hearing until said date.

At approximately 7:18 P.M., the Public Hearing was continued until Tuesday, September 15, 2015.

2. 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

Mr. Hulse called the Public Hearing to order at 7:18 P.M., seated members Bufano, 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 July 14, 2015. She referenced into the record a memorandum dated June 11, 2015 from Jonathan Chew (Western CT Council of Governments); a 3-page Planning and Zoning Staff Report dated July 21, 2015; and a response letter dated July 22, 2015 from J. Casey Healy to Planning and Zoning Commission, with attachments.

Present were J. Casey Healy, attorney and David Schiff, planner, VHB.

Mr. Healy briefly reviewed the subject application, noting that maximum building coverage in the DE-5 and DE-10 zones is currently 20%. He explained that the proposed amendment would increase allowable building coverage for both zones by no more than 3.5% subject to four conditions. He summarized the proposed four conditions, noting that:

- 1) the lot must conform with minimum area/dimensional requirements for the zone and
- 2) with minimum off-street parking requirements per Section 29-8.B of zoning regulations within the established 20% maximum building coverage;
- 3) allowable coverage increases shall apply only to parking garages/structures and
- 4) any increase in building coverage shall yield no more than 1 additional parking space per 1000 square feet of gross floor area (GFA).

Mr. Healy referenced a memorandum dated July 15, 2015 from David Schiff, AICP, in which he demonstrates how the proposed amendment complies with the Town's Plan of Conservation and Development (POCD).

Mr. Schiff summarized his aforementioned memorandum, citing the general trend nationwide to smaller work areas and larger joint/communal spaces for employees. He noted that the standard rule of thumb within the industry was approximately 250 square feet per employee, with resulting parking ratios of about 3.5 spaces per 1000 square feet of gross floor area. He explained that due to the economics of the industry which were exacerbated by the recent recession, the minimum employee space has been decreasing steadily to around 175-185 square feet/employee, resulting in increased parking demand, particularly in more heavily auto-dependent areas, in order to accommodate the greater number of employees and improve competitiveness of rental properties.

Mr. Schiff noted that the proposed amendment is consistent with the economic

development goals as set forth in the Town's POCD while preserving the character of the community and minimizing negative impacts on the surrounding area.

Mr. Healy briefly reviewed responses to the Planning and Zoning Staff Report, noting in particular that all existing Town properties that would be able to avail themselves of the proposed amendment contain buildings well over the 20,000 square feet of GFA that would automatically trigger a Special Permit application/review.

Addressing comment #4 of the Staff Report, Mr. Healy stated that he has filed an alternate application that would allow an increase of maximum building coverage in the DE-5 and DE-10 zoning districts to 25%, without the corresponding four conditions as proposed in the subject application, thereby allowing property owners the ability to use the maximum coverage as best needed. He noted that he would withdraw the subject application if the Commission preferred the alternate approach.

Mr. Healy noted for the record that Wilton, at its current 20% maximum for the zones in question, represents the lowest building coverage requirement for such zones as compared to many neighboring and outlying communities.

In response to a question from Mr. Wong, Mr. Healy noted that out of seven DE-10 properties in Town, four do not meet the 10-acre requirement; and only six properties in the DE-5 zone meet the 5-acre requirement of the zone. He confirmed that under the proposed subject amendment only those properties meeting the minimum required acreage for the respective zones would qualify for the increased building coverage.

Mr. Nerney referenced research that he had conducted regarding other communities' regulations, noting his opinion that the difference between coverage of 20% versus 25% might not be all that visible, noting that other bulk requirements of the respective zones would encourage overall proportionality.

Ms. Poundstone stated that she favored the simplicity of the alternate amendment, which would allow an increase in maximum building coverage to 25% in the DE-5 and DE-10 zones, without corresponding conditions.

Mr. Nabulsi asked for clarification about how the subject amendment would actually work in practice, questioning in particular whether the applicant would be locked into its original plan that demonstrated compliance with existing regulations (prior to tacking on the extra 3.5% maximum for additional parking) or if the Commission would have the opportunity to really review the total development plan at that point and arrive at the best possible layout.

Mr. Healy explained that the Commission would have the opportunity to review the application just as if the applicant were proposing additional space to an office building,

except that the application for the additional 3.5% coverage would be for parking garages/structures only.

Mr. Nabulsi asked further whether it would be feasible under the amendment, as drafted, that the coverage devoted to the building could become greater, i.e. that the additional 3.5% additional parking could perhaps then support a larger structure.

Mr. Healy explained by citing an example of a hypothetical property currently at 18% building coverage which would like to increase its building coverage to the permitted 20% building coverage maximum, which would then result in a requirement for additional parking to support the increased building size. He felt that the regulation as drafted would contemplate that scenario whereby a developer could come before the Commission and request permission to avail itself of the additional 3.5% building coverage, or portion thereof, for a parking garage/structure to accommodate that resulting increased parking need. He felt that the applicant, in that situation, would first have to show a plan that demonstrates compliance with required parking of 1/300 s.f. when at the maximum 20% building coverage, without using any of the additional 3.5% coverage.

Mr. Schiff explained further that the constraint is one of building coverage limitations more so than parking space limitations, noting that current regulations do not impose any maximum on number of parking spaces.

Mr. Nerney noted that the issue is one of capacity (i.e. not so much the number of square feet within a building but rather the volume of people within the building, many of whom drive alone) and by allowing building coverage to increase to 25% (per the alternate application) those parking needs could be better addressed.

Mr. Healy explained that some larger tenants are now looking for at least 5 spaces per 1000 s.f. (similar to a Wilton retail level of parking), and thus some of these tenants are flocking to cities such as Stamford which is more transit-oriented and thus less on-site parking is required.

In response to a question from Mr. Nabulsi, Mr. Healy confirmed that in the alternate application, building coverage in the DE-5 and DE-10 zones would just be increased from 20% to 25%, with no additional formulas/conditions as proposed in the subject application; in particular, building coverage would not be limited to parking garages/structures.

Mr. Wong stated that he would be more inclined to increase the allowable building coverage without the associated conditions (as per the alternate proposed amendment) but he questioned how site coverage would be accommodated by such an amendment.

Mr. Healy explained that site coverage of 40% is permitted in the DE-10 zone and 50% is

permitted in the DE-5 zone, and neither requirement would be changed by either of the proposed amendments. He agreed with Mr. Fiteni that structured parking is encouraged by both proposed amendments, noting that such parking is much more expensive than surface parking.

Mr. Wong raised a concern pertaining to different forms of site coverage and whether certain allegedly permeable materials (as discussed during a recent application before the Commission) are counted towards site coverage by the Town. Mr. Healy confirmed that both permeable concrete and permeable asphalt (two such examples) would currently be treated as impermeable surfaces by the Zoning Enforcement Officer and thus would count against site coverage calculations, whereas gravel would not be included in any site coverage calculations.

It was the general consensus of the Commission at this point that they were leaning more favorably towards the simpler, alternative application, i.e. increasing building coverage for both zones to 25%, and Mr. Healy agreed to keep the subject application open until the next meeting to allow Commissioners more time to review both options. He stated that he would provide staff with a letter confirming his willingness to grant an extension of the deadline to close the hearing.

In response to a question from Mr. Nabulsi, Mr. Healy confirmed that the Commission could impose modifications/restrictions to the alternative application if it so chose (e.g. requiring that all underlying requirements of the zone be met before allowing a building coverage increase to 25%) as long as the Commission would be limiting the scope of the application and not broadening it (due to issues with legal noticing).

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 8:03 P.M. the Public Hearing was continued until Tuesday, September 15, 2015.

3. 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

Mr. Hulse called the Public Hearing to order at approximately 8:03 P.M., seated members Bufano, 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 July 14, 2015 and referenced a letter dated July 6, 2015 from J. Casey Healy to Planning and Zoning Commission, with attachments; an email sent July 16, 2015 from Joe Paola (Georgetown Fire District) to Daphne White; email communications between Robert Nerney and Joe Paola (Georgetown Fire District) dated July 16, July 20, and July 21, 2015; and a 3-page Planning and Zoning Staff Report dated July 22, 2015.

Present were J. Casey Healy, attorney; Holt McChord, engineer; Kate Throckmorton, landscape architect; and Mike Lindquist, applicant.

Mr. Healy briefly reviewed the applicant's plans for the site, noting that his business (which he plans to relocate from 210 Danbury Road to 658 Danbury Road) would include vehicle repair and the sale of used vehicles, but would no longer involve the sale of fuel.

Mr. McChord referenced posted site plans, including existing conditions and proposed, noting that a servicing area will be located on the south side of the site and a used vehicle sales area will be located on the northern end. He reviewed site circulation, noting that an additional curb cut is proposed on the north end to more effectively route traffic through the site. He also reviewed drainage/infiltration plans which he explained were pursuant to a recent wetlands review of the parcel, and he noted that existing well and septic will be preserved. He reviewed proposed parking for the site, noting that the bulk of the parking would satisfy the needs of the auto repair/services portion of the business. He stated that all fluids/liquids would be housed inside and would be pumped as needed into a holding tank also located inside.

Ms. Throckmorton reviewed landscaping and lighting for the site, noting that most of the landscaping focus is along the street in front of the building. She reviewed trees/bushes proposed for the site, noting that an 18-inch berm would be constructed along the northern area to increase planting height and improve screening in that area. She stated that sight lines at both curb cuts were reviewed and are compliant.

Ms. Throckmorton explained that two types of lighting are proposed, including post and wall lighting. She noted that three of each are proposed, with posts at 15' height, with LED lighting. She referenced foot-candle plans for the site, noting that a 1.5-foot-candle plan is generally more than enough, as compared to a 2.5-foot-candle plan, noting further that there would not be any glare runoff onto surrounding properties.

In response to a question from Ms. White regarding the possible need for end/interior islands in the car storage area (pursuant to comment #16 of the Planning and Zoning Staff Report), both Ms. Throckmorton and Mr. McChord felt that landscaped islands are not necessary, per Section 29-8.C.4.c.(2) of Zoning Regulations, since the plan proposes a double row of 15 vehicle storage spaces, not 18 contiguous spaces.

Mr. Healy distributed a response package dated July 27, 2015 and a Traffic Impact Statement prepared by Craig D. Yannes (Tighe & Bond) dated May 20, 2015. He briefly reviewed all responses.

In response to Commissioner questions, Mr. Healy stated that the two curb openings are not one-way dedicated at this time, but could be (one to ingress, one to egress) if the

Commission so prefers; and he confirmed that all liquids/fluids used on the site would be oil/petroleum-based contaminants, not PCBs or other materials.

In response to questions from Commissioners Hulse and Wong regarding site security and whether totaled cars would likely be repaired/stored on the site, given their potential for fluid leakage, Mr. Lindquist stated that site security would include lighting and motion sensors, not fencing; he also noted that cars are locked each night. He stated that body work in connection with totaled vehicles would not typically be done on the premises, noting that a good portion of their repairs involve suspension work and wheel alignments. He stated that diapers which absorb oil, not water, would also be utilized on the site.

Mr. Nabulsi referenced the submitted parking calculation which showed a total of 55 required spaces, questioning whether that number includes spaces devoted to vehicles for sale on the lot, or whether that number is essentially an operational number for employees and other needs of the site. Mr. Healy stated that it is actually both, referencing the fact that there are 2 separate parking calculations for the 2 separate functions of the site (auto sales establishment and auto repair/service facility). He briefly explained both calculations per Sections 29-8.B.5.c.(1) and (4) of zoning regulations.

Mr. Nabulsi cited concerns pertaining to the potential number of used vehicles that will be for sale on the site, referencing issues with a similar facility across from the tennis courts/high school where there appears to be much greater inventory than what was represented to the Commission at time of application. He stated that he would like to better understand the applicant's intention with respect to vehicle inventory and he questioned what sorts of restrictions could be employed via any resolution of approval so that a similar situation does not develop on the subject site.

Mr. Healy stated that vehicles can only be parked in the spaces as indicated on the plans, noting that if there are more cars parked than are allowed, then the applicant would be in violation of the site plan and subject to Town enforcement. He noted further that the site will have 5 more parking spaces than required.

Mr. Nabulsi also referenced Section 29-8.C.4.c.(2) regarding "Parking Lot Standards", particularly as they apply to the double bay parking proposed in the application. He questioned in particular the applicant's interpretation that a 15-car length of double bay vehicle storage spaces does not require additional landscaped islands.

Mr. Nerney stated that he agreed with Mr. McChord's interpretation in that regard, although he acknowledged that the aforementioned regulation can be a bit confusing. Mr. Nabulsi expressed concern with setting an undesirable precedent for the Town by accepting the applicant's interpretation that landscaped island(s) are not required in the case of a 15-car length of double bay parking. He stated that it would be helpful if the applicant could explain in more detail how the proposed parking layout is compliant with

this section of the regulations.

Mr. Healy stated that he would look into this further before the next hearing.

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

Mr. Healy stated that he would submit a formal letter granting the Commission an extension until September 15, 2015 of the deadline to close the hearing.

There being no further comments from the Commission or the public, at approximately 8:55 P.M. the Public Hearing was continued until Tuesday, September 15, 2015.

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

Mr. Hulse called the Public Hearing to order at approximately 8:55 P.M., seated members Bufano, 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 July 14, 2015 and referenced a 4-page response letter dated July 26, 2015 from Thomas S. Quinn (Peak Engineers, LLC) to Planning Department, with attached updated survey; a memorandum dated July 22, 2015 from Conservation Commission to Planning & Zoning Commission; email correspondences among Rocco Grosso (Fire Department), Daphne White and Tom Quinn dated July 22, 2015; a memorandum dated July 23, 2015 from Barrington Bogle (Director of Health) to Daphne White; and a 2-page Planning and Zoning Staff Report dated July 23, 2015.

Present was Tom Quinn, engineer, Peak Engineers, LLC.

Mr. Quinn reviewed details of the application, noting that the subject parcel consists of 7.1+/- acres, which is proposed for subdivision into 2 lots, consisting of a 5.09+/- acre home lot (#1) and a new lot (#2) consisting of just over 2 acres. He stated that both lots comply with all regulation minimums, including frontage and minimum width/depth requirements, and have been approved for feasibility by both the Health and Fire Departments. He addressed comment #4 of the aforementioned Conservation Commission memo, noting that over 25 test holes have been dug between these two lots and based on soil data to-date there is no reason to believe that the soil would be any different in the area of the proposed storm water management system, although he stated that additional test holes could be dug if the Commission so desires.

Mr. Quinn briefly reviewed plans for a proposed 3600 square-foot footprint home on lot #2, with a 3-car garage, 5-bedroom septic and a potential pool/patio, noting that the layout is only conceptual as required by subdivision regulations. He reviewed drainage plans for the site, noting that a hydrological report has been completed for the site even

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though it was not technically required. He stated that he did not anticipate any negative drainage impacts to the downhill neighbor. He also noted that he had not received any comments back from the Town Engineer.

In response to a comment from Mr. Nerney, Mr. Quinn confirmed that all roof leaders would be connected to the detention system, and a note has been added to Sheet 4 of the plans confirming same.

There was a brief discussion pertaining to comment #14 of the Staff Report and the issue of open space dedication for conservation purposes. Mr. Nerney referenced subdivision regulations that require the dedication of 12% open space for conservation purposes, noting however that this requirement can be waived by the Commission if the amount of required open space amounts to less than one acre.

There was general consensus among the Commission that there would be little or no value to such a dedication of open space given the lack of connectivity to other open space property in Town. Mr. Wong dissented, noting that such a dedication would at least preserve that small area of land in its natural state and might also serve to address a future question/issue of re-subdivision of the remaining 5+ acre parcel.

A straw poll was taken on the issue of requiring the dedication of open space. The vote was 7-1 in favor of waiving the requirement. Mr. Wong opposed.

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 9:21 P.M. the Public Hearing was closed.

REGULAR MEETING

A. Mr. Hulse called the Regular Meeting to order at 9:21 P.M., seated members Bufano, 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. July 13, 2015 – Regular Meeting

MOTION was made by Ms. Knapp, seconded by Ms. Poundstone, and carried (8-0) to approve the minutes of July 13, 2015 as amended.

C. SITE DEVELOPMENT PLAN REVIEW

D. ACCEPTANCE OF NEW APPLICATIONS

- 1. REG#15349, J. Casey Healy, c/o Gregory and Adams, P.C., Amend Section 29-7.E.6 regarding area/bulk requirements for industrial zones**

The Commission scheduled a Public Hearing on Tuesday, September 15, 2015.

E. PENDING APPLICATIONS

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

Continued until Tuesday, September 15, 2015.

- 2. 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**

Tabled.

- 3. 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**

Tabled.

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

The Commission requested that staff prepare a Draft Resolution of approval for discussion/vote at the next meeting.

F. COMMUNICATIONS

1. Cambridge Hanover Associates, 241 Danbury Road, Request for administrative approval of site plan modification

Mr. Nerney referenced a letter dated July 24, 2015 from J. Casey Healy requesting an administrative approval of a special permit application for modifications to the subject site, which is located across from the Town Hall complex and has been vacant for many years. He explained that the interested buyer is a consortium of doctors who would like to renovate/re-skin the building, improve landscaping, and reconfigure/resurface existing parking, including creation of a drop-off and pick-up area at the main entrance and installation of 7 handicapped parking spaces.

Mr. Nerney noted that the proposed use is a desirable one for the Town from a planning perspective since it would be a good tax generator; it would involve predictable traffic in the area; and a traffic light is already located at the corner. Further, he noted that there are other types of uses that would be permitted on the DRB-zoned parcel which would potentially be much more intensive and result in more dramatic changes to the area.

Mr. Nabulsi noted his opinion that the Commission does not need to be involved every time a property changes hands.

Ms. Poundstone felt that the proposed use was an excellent one and would be compatible with the almost campus-like feel of the parcel.

Eric Cook, part of the development team and present in the audience, explained that the intended use is for medical offices, not for a surgical center or an ambulatory facility. He noted that there are currently 306 striped spaces on the site where only 264 spaces will be required. He felt that the proposed use will be a tremendous asset for the community, and he stated that their intent is to retain the campus-like setting of the parcel.

The Commission voted unanimously (8-0) to allow Town Planner Nerney to review/act on the application administratively pursuant to Section 29-10.A.15 of Zoning Regulations.

2. Request of Wilton GSE, 372 Danbury Road, concerning change of use of subject property

Mr. Healy referenced his letter of July 24, 2015 to the Planning and Zoning Commission requesting confirmation from the Commission that the proposed Westport Day School (the “School”) may occupy the subject premises under the use category of a personal services business, and thus would not be required to file a Special Permit for operation as

a school, as previously submitted and scheduled for hearing on September 15, 2015.

He stated his belief that Westport Day School (for special needs students) does not operate as a school in the traditional sense since there is no bus service, no cafeteria or food service, no gymnasium or auditorium, and there is only a small outdoor play area proposed.

He referenced the Program Description, History and Mission Statement of the School, noting that it offers a highly specialized program to children with complex medical/mental challenges, for whom the traditional educational model doesn't work. He stated that the teacher/student ratio is extremely low, ranging from 1:1 to 1:6 teachers per students.

He noted further that the Planning and Zoning Department has historically treated other similar uses, such as tutoring, learning centers, certain therapeutic businesses, etc., as personal services businesses.

Ms. Knapp felt that the use was still clearly a school, specifically a special education component of a school, noting that the State mandates offering such services to children with special education needs. She speculated that maybe if the children were at the facility for less than a full school day then perhaps a different argument could be made.

Mr. Healy noted that the services are very therapeutic-based and are not available in a traditional school setting. In response to a question from Ms. Poundstone as to whether the School would be supported by tax dollars, Mr. Healy stated that it would not be, noting that the parents pay for the services.

Mr. Hulse concurred with Ms. Knapp's interpretation, noting that it seemed to fit the category of a school.

Mr. Fiteni noted further that many special needs schools offer similarly low student/teacher ratios.

Mr. Nerney concurred that while it is certainly an educational facility, in terms of land use the School didn't seem to fit the standard school model, i.e. large sites, large parking/queuing areas for buses, the scheduling of frequent after-hours school functions/plays, etc.

Ms. Knapp noted for the record that there are other small schools located in Town, referencing in particular the Friends School on New Canaan Road.

Mr. Wong questioned whether the services are being offered as a substitute for what would otherwise be mandated services for these children. Mr. Healy explained that

parents choose this program for their children who are not able to function in a traditional school setting.

In response to a question from Mr. Fiteni as to whether the School is regulated by the State Education Department, Mr. Healy assumed that it would be.

Ms. White referred to the definitions of private and public schools in the Zoning Regulations, noting specific references in both definitions that said uses meet State education requirements.

In response to a question from Ms. Knapp as to the reason behind the applicant's request, Mr. Healy acknowledged that the School is facing a timing problem with respect to a desired start date of September 1 and the scheduling by the Commission of a Public Hearing for the School on September 15. He noted further that the applicant has already addressed all comments/questions raised in the Staff Report and thus all outstanding issues seem to have been resolved.

In response to another question from the Commission, Mr. Nerney explained that the Town does not grant approvals for temporary space/occupancy.

Mr. Nabulsi raised the possibility of scheduling a special session sometime in August to hear the subject application, noting that he would be willing to attend a meeting during summer break.

Commissioners were split in their thoughts about a special session. Commissioners Hulse, Poundstone and Knapp felt that it would not be advisable to set such a precedent, i.e. to treat this applicant differently from any other applicant or to reward what they considered to be poor planning/timing on the part of the applicant; they also noted that this is not a non-profit school/business.

Mr. Nabulsi felt that his proposal to schedule a special session to address the needs of the School was not just altruistic, but it would also serve the best interests of the Town.

A straw poll was conducted as to whether a special session should be scheduled, with the final vote being 4-4 (Mr. Fiteni ultimately joined Commissioners Hulse, Poundstone and Knapp in opposing a special session). Commissioners Shiue, Wong, Nabulsi and Bufano voted in favor of the special session. Since the vote was tied, the proposal failed and it was decided that a special session would not be scheduled.

G. REPORT FROM CHAIRMAN

Mr. Hulse briefly reviewed the ongoing issue of signage. He recounted past and ongoing efforts on his part and the Town Planner's to reach out to other Towns, to Wilton's Chamber of Commerce (with little or no feedback), and to local newspapers (from which some feedback was ultimately obtained). He also referenced a recent Supreme Court decision on signage and first amendment rights, noting that he has asked the Town Planner to review all input/feedback, including the recent Supreme Court decision, and to put something together for the Commission so that it will be able to conduct a comprehensive review of all of the materials.

Mr. Wong urged the Commission to set a review/public hearing date, but given the busy September agenda and the new dimension that has been added to the analysis by the Supreme Court's decision, it was determined that the Commission would target consideration of the matter for sometime in the Fall.

H. REPORT FROM PLANNER

I. FUTURE AGENDA ITEMS

- 1. SP#406, Westport Day School, 372 Danbury Road, To allow a school to operate in a portion of the 1st floor of existing building pursuant to Section 29-6.B.3.s of zoning regulations [P.H. Tuesday, September 15, 2015]**

J. ADJOURNMENT

MOTION was made by Ms. Knapp, seconded by Ms. Bufano, and carried unanimously (8-0) to adjourn at approximately 10:22 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary