

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

WILTON PLANNING & ZONING COMMISSION MINUTES OCTOBER 11, 2011 REGULAR MEETING

PRESENT: Chairwoman Sally Poundstone, Vice Chairman John Wilson, Secretary Doug Bayer, Commissioners John Gardiner, Marilyn Gould, Dona Pratt, and Michael Rudolph

ABSENT: Chris Hulse, Bas Nabulsi (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. **SUB#906, Hirsch/Josefsen, 2 Quiet Lake Lane & 144 Huckleberry Hill Rd, 3-lot subdivision**

Continued until October 24, 2011.

2. **REG#11333, Gregory and Adams, Modifications to Sections 29-7.D and 29-2.B of zoning regulations pertaining to Setback modifications for Design Enterprise Districts, and establishment of definition of Health and Fitness Facility**

Ms. Poundstone called the Public Hearing to order at 7:16 P.M., seated members Bayer, Gardiner, Gould, Poundstone, Pratt, Rudolph, and Wilson, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. She noted that the hearing was continued from a previous date.

Present was Jim Murphy, attorney.

Mr. Murphy advised the Commission that the applicant wished to withdraw the portion of

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the application pertaining to setback modifications in the Design Enterprise Districts, but wanted to move forward with the proposed Health and Fitness Facility definition. He submitted into the record a letter to that effect dated October 11, 2011.

With respect to the proposed Health and Fitness Facility definition, Mr. Murphy indicated that the applicant would be amenable to modifications recommended by the Commission at the last hearing, including replacement of the word “Facility” with “Club” (to be compatible with existing terminology in the regulations), and addition of the phrase “duly licensed by the State of Connecticut” to the proposed definition.

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 7:20 P.M. the Public Hearing was closed.

3. SP#373, Mutual Housing Association of Southwestern CT, Inc. (Wilton Commons), 21 Station Road, Modification of approved plan for 51 affordable housing units for Seniors

Ms. Poundstone called the Public Hearing to order at 7:20 P.M., seated members Bayer, Gardiner, Gould, Poundstone, Pratt, Rudolph, and Wilson, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. She noted that the hearing was continued from a previous date.

Mr. Nerney briefly updated the Commission on the status of the application. He noted that there was a concern that the revised plans might possibly impact wetlands in the area, but a recently submitted plan indicated that proposed site modifications would be outside of the regulated wetlands area.

Mr. Nerney also explained that some information is still outstanding, including average grade calculations around the perimeter of the building, but he was fairly comfortable that such requirement(s) could be addressed by condition(s) of approval, if the Commission was so inclined.

Jim Evans, architect for the applicant, arrived at approximately 7:22 P.M. He expressed hope that the Commission would approve the application so that the project could get underway shortly.

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 7:24 P.M. the Public Hearing was closed.

REGULAR MEETING

A. Ms. Poundstone called the Regular Meeting to order at 7:24 P.M., seated members Bayer, Gardiner, Gould, Poundstone, Pratt, Rudolph, and Wilson, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

B. APPROVAL OF MINUTES

1. September 26, 2011 – Regular Meeting

MOTION was made by Mr. Bayer, seconded by Mr. Wilson, and carried (6-0-1) to approve the minutes of September 26, 2011 as drafted. Ms. Gould abstained.

C. SITE DEVELOPMENT PLAN REVIEW

D. ACCEPTANCE OF NEW APPLICATIONS

1. SP#374, i.park Norwalk, LLC, Danbury Road and Kent Road (a/k/a Assessor's Map 83, Lot 26), Requesting special permit pursuant to Section 29-7.C.2.k. of zoning regulations for an addition to an existing health and fitness club

MOTION was made by Ms. Poundstone, seconded by Mr. Wilson, and carried unanimously (7-0) to accept the application and set a public hearing date for October 24, 2011.

E. PENDING APPLICATIONS

1. SUB#906, Hirsch/Josefsen, 2 Quiet Lake Lane & 144 Huckleberry Hill Rd, 3-lot subdivision

Tabled.

2. SP#372, Geitz, 9 School Road, Accessory dwelling unit

The Commission reviewed Draft Resolution #1011-20P.

MOTION was made by Mr. Bayer, seconded by Ms. Pratt, and carried (6-0-1) to adopt as drafted Resolution #**1011-20P** for **SP#372**, effective October 13, 2011. Ms. Gould abstained.

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WHEREAS, the Wilton Planning and Zoning Commission has received a Special Permit application **SP#372** from Tim Geitz of Geitz Design Associates, LLC for approval to establishment a 1,451.52 square foot accessory dwelling unit within a pool house, for property located at 9 School Road; in a Residential “R-2A” District, Assessor’s Map #76, Lot #6, consisting of 4.0005 acres owned by James A. Smith and Gail M. Federici c/o Hometown LLC and shown on the plans entitled:

Zoning Location Survey Depicting Proposed Pool House - Prepared for Jim Smith, Prepared by Lawrence W. Posson Jr., surveyor, dated August 15, 2011, drawn at a scale of 1” = 30’.

Site Plan - Prepared for Jim Smith, Prepared by Timothy A. Geitz, architect, dated May 3, 2011, drawn at a scale of 1/32” = 1’-0”, sheet #001.

Basement Plan & Reflected Ceiling Plan - Prepared for Jim Smith, Prepared by Timothy A. Geitz, architect, dated May 3, 2011, drawn at a scale of 1/4” = 1’-0”, sheet #100.

First Floor Plan & Reflected Ceiling Plan - Prepared for Jim Smith, Prepared by Timothy A. Geitz, architect, dated May 3, 2011, drawn at a scale of 1/4” = 1’-0”, sheet #101.

Roof Plan - Prepared for Jim Smith, Prepared by Timothy A. Geitz, architect, dated May 3, 2011, drawn at a scale of 1/4” = 1’-0”, sheet #102.

Exterior Elevations - Prepared for Jim Smith, Prepared by Timothy A. Geitz, architect, dated May 3, 2011, drawn at a scale of 3/8” = 1’-0”, sheet #200.

Building Sections - Prepared for Jim Smith, Prepared by Timothy A. Geitz, architect, dated May 3, 2011, drawn at a scale of 3/8” = 1’-0”, sheet #201.

Interior Elevations - Prepared for Jim Smith, Prepared by Timothy A. Geitz, architect, dated May 3, 2011, scale as noted, sheet #301.

WHEREAS, the Wilton Planning and Zoning Commission has conducted a public hearing on September 26, 2011 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 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 **#372** to allow for the establishment a 1,451.52 square foot accessory dwelling unit within a pool house, for property located at 9 School Road, effective October 13, 2011 subject to the following conditions:

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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 plan shall be completed within five years of the effective date of this resolution. This five-year period shall expire on October 13, 2016.
3. The applicant shall file a Land Record Information Form with the Town Clerk (form to be provided by the Planning and Zoning Department) prior to the issuance of a zoning permit.
4. Prior to issuance of a Zoning Permit, the applicant shall submit documentation of approval from the Wilton Health Department regarding the adequacy of the existing septic system to accommodate both the principal residence and the proposed accessory dwelling unit.
5. The owners of the property have submitted to the Planning and Zoning staff in the form of an affidavit that the owners are in residence in one of the dwelling units on the property. Certification of owner occupancy shall subsequently be made to the Planning and Zoning Department on an annual basis.

Submittal of revised plans and application:

6. 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. Said plans shall include all revisions noted above and shall bear an ORIGINAL signature, seal and license number of the professional responsible for preparing each plan or portion of it.

Said plans shall include the following notes:

a. "Pursuant to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Special Permit shall be completed within five years after the approval of the plan. Said five-year period shall expire on October 13, 2016."

b. "For conditions of approval for Special Permit #372, see **Resolution #1011-20P.**"

- End Resolution -

3. REG#11333, Gregory and Adams, Modifications to Sections 29-7.D and 29-2.B of zoning regulations pertaining to Setback modifications for Design Enterprise Districts, and establishment of definition of Health and Fitness Facility

The Commission briefly discussed Draft Resolution #1011-4REG. Minor modifications were incorporated into the proposed definition.

MOTION was made by Mr. Bayer, seconded by Mr. Wilson, and carried unanimously (7-0) to adopt as amended Resolution #1011-4REG for REG#11333, effective October 18, 2011.

WHEREAS, the Wilton Planning and Zoning Commission accepted application #11333 for an amendments to Section 29-7.D. and Section 29-2.B. of the Zoning Regulations of the Town of Wilton pertaining to “General Requirements for all Design Enterprise Districts” and pertaining to “Definitions”; and

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on September 26, 2011 and on October 11, 2011 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

WHEREAS, the Planning and Zoning Commission has determined that the proposed amendments pertaining to the definition of a “Health and Fitness Club” are consistent with the Plan of Conservation and Development, but further find that proposed provisions pertaining to dimensional setback reductions in the Design Enterprise district for uses adjacent to a railroad right-of-way are inconsistent with said plan; and

WHEREAS, the Planning and Zoning Commission has determined that a reduction of the setback requirement for uses adjacent to a railroad right-of-way raise a number of concerns with respect to the safety of the general public.

NOW THEREFORE BE IT RESOLVED, that the Wilton Planning and Zoning Commission **APPROVES** application #11333 with the condition that the proposed amendment known as Section 29-7.D. 10 be deleted. This resolution becomes effective October 18, 2011 and reads as follows:

1. Add to 29-2.B. Definitions:

Health and Fitness Club – a for profit entity, duly licensed by the State of Connecticut, such as a fitness center, gymnasium, health and athletic club, which may include any of the following: cardiotraining facilities, weight training facilities, swimming pools, exercise pools, sauna, spa or hot tub facilities, basketball, indoor tennis, handball, racquetball, and/or other sport courts, and other similar indoor sports activities.

- END RESOLUTION -

4. SP#373, Mutual Housing Association of Southwestern CT, Inc. (Wilton Commons), 21 Station Road, Modification of approved plan for 51 affordable housing units for Seniors

The Commission reviewed Draft resolution #1011-21P. Modifications were incorporated into the resolution.

Mr. Nerney noted in particular a condition of approval requiring a properly-sized elevator that could accommodate a medical stretcher in a full horizontal position. In that regard, he explained that the applicant is considering the option of providing an hydraulic stretcher to the Wilton Volunteer Ambulance Corps (WVAC) that would fit into a slightly smaller-sized elevator as is currently proposed. He noted that both the WVAC and Town legal counsel are agreeable to such an option, if available.

MOTION was made by Mr. Wilson, seconded by Mr. Gardiner, and carried unanimously (7-0) to adopt as amended Resolution **#1011-21P** for **SP#373**, effective October 13, 2011.

WHEREAS, the Wilton Planning and Zoning Commission has received Special Permit application (**SP #373**) from Mutual Housing Association of Southwestern Connecticut, Inc. for Wilton Commons, Inc. to allow the construction of a congregate housing facility with 51 dwelling units for property at 21 Station Road, in a Design Enterprise (DE-5) District and a Single Family Residence (R-1A) District; part of Assessor's Map #74, part of Lot #24, Lot #25 and Lot #26, 4.80± acres; owned by the Town of Wilton and shown on the plans entitled:

Property Survey, Prepared for Wilton Commons, Inc., Prepared by Paul A. Brautigam, surveyor, dated June 30, 2004, scale 1"=40', no sheet #.

Site Plan, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, last revised September 26, 2011, scale 1"=30', sheet #SP.0

Partial First Floor Plan, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, revised September 7, 2011, scale as noted, sheet #A1.1a.

Partial First Floor Plan, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, revised September 7, 2011, scale as noted, sheet #A1.1b.

Partial Second Floor Plan, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, revised September 7, 2011, scale as noted, sheet #A1.2a.

Partial Second Floor Plan, Prepared for Wilton Commons, Prepared by Louis Contadino, architect, dated April 4, 2011, revised September 7, 2011, scale as noted, sheet #A1.2b.

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Partial Third Floor Plan, Prepared for Wilton Commons, Prepared by Louis Contadino, architect, dated April 4, 2011, revised September 7, 2011, scale as noted, sheet #A1.3a.

Partial Third Floor Plan, Prepared for Wilton Commons, Prepared by Louis Contadino, architect, dated April 4, 2011, revised September 7, 2011, scale as noted, sheet #A1.3b.

Attic Plan, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, last revised September 26, 2011, scale 3/32"=1'-0", sheet #A1.4.

Roof Plan, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, last revised September 26, 2011, scale 1/16"=1'-0", sheet #A1.5.

Typical Unit Plans, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, revised September 7, 2011, scale 1/4"=1'-0", sheet #A1.6.

Exterior Elevations, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, last revised September 26, 2011, scale 3/32"=1'-0", sheet #A2.0.

Exterior Elevations, Prepared for Wilton Commons, Prepared by James Evans, architect, dated April 4, 2011, revised September 7, 2011, scale as noted, sheet #A2.1.

Abbreviations, Notes, Legend and Location Map, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 6, 2011, scale as noted, sheet #C-1.

Sanitary Sewer Profile Test Pit Data and Drainage Improvements Summary, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 6, 2011, scale as noted, sheet #C-2.

Existing Conditions and Demolition Plan, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 26, 2011, scale 1"=30', sheet #C-3.

Proposed Civil Site Plan, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 26, 2011, scale 1"=30', sheet #C-4.

Proposed Fill Plan, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised October 11, 2011, scale 1"=40', sheet #C-4A.

Landscaping and Grading Plan and Site Layout, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 26, 2011, scale 1"=30', sheet #C-5.

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Detailed Plaza Site Plan, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 26, 2011, scale 1"=10', sheet #C-6.

Detailed Terrace Site Plan, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 26, 2011, scale 1"=10', sheet #C-7.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-8.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-9.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-10.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-11.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-12.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-13.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-14.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-15.

Details, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-16.

Soil Erosion and Sediment Control Notes, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, revised September 6, 2011, scale as noted, sheet #C-17.

Soil Erosion and Sediment Control Plan Phases One and Two, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 26, 2011, scale as noted, sheet #C-18.

Soil Erosion and Sediment Control Plan Phases Three and Four, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 26, 2011, scale as noted, sheet #C-19.

Site Utility Plan, Prepared for Wilton Commons, Prepared by Peterson Engineering Group, LLC, mechanical and electrical engineers, dated April 4, 2011, last revised September 26, 2011, scale 1"=20', sheet #SU1.1.

Site Lighting Plan, Prepared for Wilton Commons, Prepared by Peterson Engineering Group, LLC, mechanical and electrical engineers, dated April 4, 2011, last revised September 26, 2011, scale 1"=20', sheet #SU1.1.

Site Lighting Details, Prepared for Wilton Commons, Prepared by Peterson Engineering Group, LLC, mechanical and electrical engineers, dated April 4, 2011, last revised September 26, 2011, not to scale, sheet #SLT2.2

Soil Management Plan, Prepared for Wilton Commons, Prepared by Leggette, Brashears & Graham, Inc., groundwater and environmental engineers, dated August 26, 2011

WHEREAS, the Planning and Zoning Commission has conducted a public hearing on September 26, 2011 and October 11, 2011 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

WHEREAS, the Inland Wetland Agent has reviewed the application, as amended, and finds the submitted plan are substantially consistent with an earlier Inland Wetlands Commission approval of August 12, 2010 (known as Inland Wetland Permit #1975); and

WHEREAS, the 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** the Special Permit #373 to allow the construction of a congregate housing facility with 51 dwelling units for the property located at 21 Station Road, effective October 13, 2011 and is 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 October 13, 2016.

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3. The previous Special Permit #324, Resolution #0207-2P and the previous Special Permit #324A, Resolution #0910-16P are hereby deemed null and void by way of this approval.
4. In approving this application, the Commission hereby grants the following waiver:
 - a). A waiver to allow for the establishment of more than one principal building on a lot when located in a design enterprise zone.
5. The applicant shall provide copies of approval from Aquarion Water Company and the Wilton Water Pollution Control Authority granting approval for the provision of water and sewer. Said authorization shall be submitted to the Wilton Planning and Zoning Department staff prior to the issuance of the initial zoning permit.
6. The plan entitled “Proposed Civil Site Plan”, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 6, 2011, scale 1”=30’, sheet #C-4, shall be modified to include a wheelchair accessible accessway to the front entrance.
7. The plan entitled “Proposed Civil Site Plan”, Prepared for Wilton Commons, Prepared by Daniel R. Lawrence, engineer, dated April 4, 2011, last revised September 6, 2011, scale 1”=30’, sheet #C-4, shall be modified to show the relocation of the proposed generator so as to comply with all setback requirements, including the 50’ side yard setback requirement adjacent to the parking area.
8. All recommendations set forth in the environmental report prepared by Leggette, Brashears & Graham, Inc. and dated August 26, 2011, particularly with regard to soil treatment, shall be employed throughout the duration of the project.
9. The submitted document entitled “Affordability Housing Plan Wilton Commons” shall be recorded in the Wilton Land Records. The plan shall be reviewed and approved by Town Counsel prior to its recording. Documentation of recording shall be provided to the 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 Town’s engineers and the WPCA.
11. A guardrail, suitable to withstand vehicular impact, shall be installed in front of the planned parking spaces located along the easterly portion of the property. Said guardrail shall be established in addition to the specified safety fence, as deemed necessary by the Planning and Zoning Dept. This information shall be added to the final plans and shall be subject to approval by the Wilton Planning and Zoning Department staff prior to receiving a zoning permit.
12. A bond estimate for all site work shall be provided by the applicant to the Town Planner, which shall include, but not be limited to sedimentation and erosion controls, grading, drainage, paving, landscaping, seeding, retaining walls, lighting, and sidewalks. 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.
13. The applicant shall submit documentation that the three parcels on which this

development is located shall be merged. This documentation shall be satisfactory to the Commission's land use counsel and Wilton's Town Planner, prior to the issuance of any zoning permit.

14. Due to site changes, the applicant needs to submit an amended storm water drainage report or a letter from the project engineer addressing attenuation requirements prior to the issuance of a zoning permit.
15. All light fixtures shall be reviewed and approved by either the Planning and Zoning staff or by the Planning and Zoning Commission prior to the issuance of a zoning permit. The light fixtures shall comply with specifications and requirements outlined in Section 29-9.E of the Zoning Regulations.
16. Average proposed finish grade calculations around the perimeter of the entire building need to be submitted prior to the issuance of a zoning permit.
17. Section 29-9.I.5.a. of the zoning regulations permit no more than three stepped retaining walls in a row with a minimum ten-foot wide shelf area between each wall. The proposed retaining walls, shall meet the separation requirement prior to the issuance of a zoning permit.
18. Unless a reasonable alternative is provided as deemed acceptable by WVAC, one elevator, at minimum, shall be of such size so as to accommodate a medical stretcher in a full horizontal position. The size and location of the elevator shall be approved by the Planning and Zoning Department's staff and shall be shown on the final set of plans.
19. Any sewer improvements located within the Station 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.
20. All electric, telephone and other cable supplied services shall be installed underground.
21. Erosion control plans shall be strictly enforced. Public roads shall be swept clean of all dirt and debris at the end of each day.
22. There shall be no construction activities on the site on Sundays or major holidays. All construction related activities shall only be performed between 7:30 A.M. and 6:00 P.M. Monday through Friday and between 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.
23. A copy of this resolution shall be given to the construction manager and shall be available on site during construction.
24. All signage shall comply with Section 29-8.A. of the Zoning Regulations.
25. Mechanical equipment and refuse containers shall be screened from view on all sides.

BUILDING RELATED ITEMS

26. There shall be no mechanical equipment, except solar collectors on the roofs.

SUBMITTAL OF REVISED PLANS AND APPLICATION:

27. 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 October 13, 2016."
- b. "For conditions of approval for Special Permit #373, see Resolution #1011-21P."

PRIOR TO THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE:

- 28. The applicant shall submit an as-built survey prior to the issuance of a zoning compliance certificate.
- 29. The applicant shall submit an as-built plan of the subsurface drainage prior to receiving a zoning compliance certificate.
- 30. The applicant shall install a stop sign at the intersection with Station Road prior to the issuance of a certificate of zoning compliance.

- END RESOLUTION -

F. COMMUNICATIONS

G. REPORT FROM CHAIRMAN

H. REPORT FROM PLANNER

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

MOTION was made by Ms. Poundstone, seconded by Mr. Wilson, and carried unanimously (7-0) to adjourn at 7:50 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary