

PLANNING & ZONING
COMMISSION
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TOWN HALL ANNEX
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**WILTON PLANNING & ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING
MINUTES – JULY 27, 2009**

PRESENT: Chairwoman Sally Poundstone, Commissioners Alice Ayers, Doug Bayer, Marilyn Gould, Bas Nabulsi, Dona Pratt and Michael Rudolph.

ABSENT: Eric Osterberg and John Wilson ((notified intended absence)

ALSO

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

PUBLIC HEARINGS

- 1. SP#347, Mincey, 500 Ridgefield Road, Addition/renovations to historically significant residence per Section 29-5.C.8 of zoning regulations**

Ms. Ayers recused herself from the Hearing.

Ms. Poundstone called the Hearing to order at approximately 7:15 P.M. and seated members Poundstone, Bayer, Nabulsi and Rudolph. She noted that the Hearing was a continuation.

Mr. Nabulsi referred for the record to a letter dated July 22, 2009 from Robert Sanders, a communication from Glen Shattuck, a memo dated July 24, 2009 from the Wilton Building Department, and a letter dated July 27, 2009 from Sarah Hasted.

Rob Sanders of Sanders Architect was present for the applicant. He explained that the applicants are on vacation but would like to listen in, and so he is contacting them on his cell phone and leaving it open on the table.

Ms. Gould arrived and was seated.

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Mr. Sanders said architectural historian, James Sexton, visited the site on July 20, 2009, and prepared a report regarding the history of the house. He read the report, entitled “A Construction Chronology for 500 Ridgefield Road, Wilton, CT, James Sexton, PhD”, into the record.

In response to a question by Mr. Nabulsi, Mr. Sanders confirmed that the document dates those aspects of the home from the time period between 1890 and 1920.

Ms. Pratt arrived and was seated.

Mr. Sanders said they obtained the aerials that were taken in 1934, 1951 and 1965, and noted that the photograph in the report is the 1934 aerial photo. He pointed out the main body of the house and what is now the living room, which shows that the living room part existed in 1934.

There is mention in some historical documents of a veranda across the porch, and there is evidence of that in the photograph. The photograph also shows that the house was originally an even gabled structure. It was built up sometime in the late 1800s in order to get more utility on the second floor.

The applicant has agreed to remove the stone veneer. Drawings have been submitted that show that the addition towards Ridgefield Road will remain and continue with clapboard, and that the cornice line will follow along that part of the house that will be removed.

He said a comment was made about the volume of the addition. He referred to a wire framed drawing he prepared showing what the final build-out of the addition in Phase B will look like, and said it demonstrates that they are not going any further off the footprint. They have proposed that the chimney be brought towards the center of the ridge gable. As part of Phase A, the height of the gable ridge line will go to 25', but has relatively minimal impact when looking at the property from offsite.

He presented copies of letters of support from Kristen and Robert Caruso, neighbors on DeForest Road, and Corey Greenberg, Trustee, 522 Ridgefield Road. The Minceys spoke to the Browns, who said they have no objection to the application.

In response to a question by Ms. Poundstone, Mr. Sanders explained that Phase A of the addition will be the gable, kitchen, master bedroom and bath, and Phase B will be the addition of the volume over the existing living room. The portion that is closest to Ridgefield Road is proposed to be removed at the same time.

Mr. Bayer said the concept of having Phase A and Phase B troubles him as it sets a precedent. He said the Commission needs to look at the application in its entirety, and if it is not going to be built in its entirety, they should know that before they take any action. He asked if the applicant is asking for two resolutions.

Mr. Sanders said they have tried to be forthcoming in showing both phases, because they represent the owner's long-term intentions. Phase A is being proposed first because it addresses the most grievous needs of the house, and is the current extent of their budget. It doesn't solve the problem of getting the bedrooms and baths onto a single level and other architectural goals for the structure, which are proposed in Phase B. They would be happy with having a single resolution if there is a way they can get to a certificate of occupancy for the first part.

Ms. Gould asked if it was the applicant's expectation that both phases would be finished within five years, as they are allowed five years to complete a project. Mr. Sanders said it is a C of O question, as he doesn't think the owner wants to leave a building permit open for that long, nor does the Building Department want them to have a building permit open that long.

Mr. Nabulsi noted that the regulation states in part, "The Commission hereby recognizes that the loss of historic and/or architecturally significant residential buildings through demolition, alteration or incompatible new construction is contrary to the unique character of Wilton," and in their presentation the applicant made it clear that the portion of the house they are proposing to remove dates back to before 1920. He said it is a difficult position for the Commission to be deciding which parts of an architecturally significant structure should be preserved and which should no longer exist after the renovation.

Mr. Sanders said they were trying to keep a balance between what they were proposing to add and what the overall size of the house is now, and they thought it made sense to take away an element of lower architectural quality and replace it with one that is higher. The element that is at the front of the house, although old, is not of a distinctive architectural character. However, if counseled to do so, the Minceys are willing to keep it.

Ms. Gould pointed out that it is quite common in the field of historic preservation to demolish portions of structures that do not enhance the overall structure, and it is an accepted technique of dealing with historic buildings.

Mr. Nabulsi said in those cases, the people that are making the decisions on what should be torn down are experts on that question. That is the part of the value judgment that concerns him the most. They have one application before them and they are looking at a "bump on a bump". If the Commission allows it to be torn down they are setting a precedent for the next application that comes in wanting to tear something down.

Mr. Sanders said he thinks the purpose of the regulation is preservation of Wilton's historical structures, and the intent of the regulation as structured by the Commission is to have an architect with experience in historic preservation offer designs that are an informed product, which sometimes do modify existing structures. As architects, they have in the past removed noncontributing portions of historic structures. They did it at the Weiss house on Hurlbutt

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Street and they did it at the Foster house on Nod Hill Road, so the notion that the removal of a portion of this house is a new and precedent-setting action is not true. They have proposed what in their judgment they believe is a design with architectural integrity and a complement to the existing structure.

Mr. Bayer said an important distinction is that, according to the applicant's historic architect, the subject structure was built sometime before 1920, which means that under the strict reading of the regulation it is worthy of preservation.

Ms. Pratt noted that there was some concern that the addition would make the house look like a new structure, and asked if any of the architectural features that are there now will be used. Mr. Sanders said they will pick up the architectural details that are in the existing house, such as the lines of the old windows, the siding materials, the profile of the moldings, the character of the gable returns and the roof line and roof overhangs. The new kitchen will have a colonial revival type porch, and although such a porch never existed on the house, they did exist on houses of the same age.

Mr. Sanders said there will be no changes to trees and shrubs. They will replant the area where the part of the house is to be removed. They rebuilt the stone wall and closed off the rather treacherous western driveway a while ago, and they want to keep the automobile circulation as it is. There is an existing terrace that is approximately the footprint of the kitchen and the breakfast area, which is collapsing, and they are replacing the use further out.

Mr. Poundstone asked if members of the public wished to speak to the application.

Sally Hasted said she again would like to address the little "bump" that is proposed to be removed. She said it looks like something out of Beatrice Potter and is absolutely charming. When she spoke to Mrs. Mincey on Friday, she matched her own distress at the thought of losing that part, but it seemed that it needed to go in order to make up for the volume of the addition. Now they hear that the owners are willing to let it remain, and she would humbly beg the Commission to allow it to remain.

There being no further comments from the Commission or the public, at 8:19 P.M. the Public Hearing was closed.

2. SUB3900, Polito, 248 Sturges Ridge Road, 2-lot subdivision

Mr. Nabulsi read for the record a letter dated July 27, 2009 from the applicant withdrawing the application with intent to resubmit at a later date.

**3. SP#288E, Ambler Farm, Town of Wilton, 257 Hurlbutt St,
Restoration/Addition/Change to Public & Semi-Public Use of Raymond-
Ambler House**

Commissioner Gould recused herself from the Hearing.

Mr. Bayer noted that he was involved in the original purchase of Ambler Farm, but has had no involvement with it for four or five years and feels no reason to recuse himself.

Ms. Poundstone called the Public Hearing to order at approximately 8:21 P.M., seated members Ayers, Bayer, Nabulsi, Poundstone, Pratt and Rudolph, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest. Mr. Nabulsi read the legal notice, and read for the record a Planning and Zoning Staff Report dated July 14, 2009, a memo from the Assistant Town Sanitarian dated July 21, 2009, and a letter from Gregory and Adams dated July 24, 2009.

Present for the applicant was Clarissa Cannavino of Gregory and Adams.

She explained that the application is for restoration of the Raymond-Ambler House and a stairwell addition. They are also requesting a change in use from residential to permit public and semi-public uses for the house.

Mr. Richard Vail of Faesy Smith Architects said that from the very beginning the charge to them by the Friends of Ambler Farm was that in modifying the Raymond-Ambler House for public use, they be as sensitive and as minimally invasive to the landscape as possible. In order to make the building meet code for a public space, it is necessary to add a fully complying egress, and they found the least invasive place for it would be on the west side of the house. It is a very small addition, but a necessary one in order to make it comply with the fire and building codes.

In order to gain public access to the house, they have proposed a handicap accessible bluestone path that will meander to the structure and then enter through the porch side. They are proposing three low scale bollard lights along the path. The bulb will be fully contained within the bollard. They are also proposing a few wall sconces, which are identical to the wall sconces that were approved by P&Z for the carriage barn.

A major problem with the white house is its deterioration as it is essentially built into the grade and is sitting directly on the ground. A retaining wall is proposed which will allow the structure to get out of the ground and a foundation will be put in so that no wood is touching the earth.

A sugar maple tree on the north side of the property will be removed as it is in poor shape and presents a safety issue. Another tree at the mouth of the driveway has also been identified as a safety hazard and will be addressed as well.

The two existing wells have been located. They understand that the one closest to the building is

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still potable, and it will be tested. There is also a non-potable well that could be used for the garden and that has been located on the site plan. They have every intention of preserving the garden and will make any effort needed to protect it during construction.

Pamela Haveland, Vice President of the Friends of Ambler Farm and member of the White House Committee, said Ambler Farm is celebrating its 10th anniversary as a town property, and many of the people present at the hearing represent the White House Committee.

The Steering Committee was formed immediately after the Town purchased the property. The red barn was the first project they addressed, and was shortly followed by the white carriage barn. The deed is a major guiding force for the projects as it gives strong direction in preserving the original architectural character, detailing use of the buildings and the land. The White House, which was built in the late 1700s, is an important structure to the farm. They foresee the house being used to enhance some of the school programs that are currently going on. Small groups of kids can go through the house and participate in different kinds of activities. Similarly, it will permit the adult craft program to grow because they will have the space to work in.

Ms. Haveland said the proposed rooms for the interns will be on the second floor above the activity room. They don't foresee the intern program happening for a while, but they wanted to plan for the possibility of seasonal housing for maybe two college-age interns. The busiest time for the farm is May through September, so they could help primarily with the gardens and summer programs.

Ms. Poundstone asked if they have had any word from the Health Department regarding the septic system situation. Ms. Cannavino said the Director had requested certain information, and they compiled a list of responses to the questions raised by the Health Department. The maximum capacity under building, fire code, etc. for the building is 125 people. They anticipate 20-25 people per classroom, which will only be in a few of the rooms. They don't feel there is any reason to keep the hearing open, because the area of the proposed septic has ample space to satisfy a septic of that maximum size. The soils at the carriage barn are good, so there should be good soils at the house, and they would ask the Commission to include that as a condition of any resolution, but not let it hold up the process.

In response to a question by Mr. Bayer, Ms. Cannavino said the building can hold a maximum of approximately 100 to 125 people, which might occur for a fund raising event or Ambler Farm Day. The maximum number for field trips would be 8 classes per day, 20-25 people, including the instructor.

Ms. Cannavino said they are amenable to the other conditions listed in the staff report, which include no outdoor amplification or use of any public address system; large outdoor gatherings of people in tents shall be restricted to the northeast sector; use of the facilities shall terminate by 11:00 P.M. with lights out by 11:30 P.M.; no activities to start before 8:00 A.M. on weekdays or before 9:00 A.M. on the weekends; private parties are prohibited; and all evening events shall be

restricted to those related to the Friends of Ambler Farm or other non profit entities.

As to colors, the plan is to use white or yellow or a variation of something very traditional and historically appropriate, and that ultimate determination will be made by the Board's design review committee in conjunction with the White House Committee.

Mr. Nabulsi asked what will happen in terms of people arriving, parking, and getting from wherever they start to the White House. Ms. Haveland said it will not change that much from the way it functions now. One refinement is that there will be an ADA code compliant entrance to the White House and a new pathway. There are a certain amount of parking spots in front of the white carriage barn and beyond that there is the grass. Currently the buses come to the soccer field parking and the children walk through the field and down to the property to get to the white carriage barn or the White House.

Mr. Nerney noted that when they were there doing an inspection the main driveway was barricaded from any cars coming in off of Hurlbutt Street, so they did take precautions. He thinks over the last few years the farm has been well managed. They have not had any issues concerning safety, nor have they had any complaints from neighbors. It is a historic property that is in very rough condition right now.

Ms. Haveland said when there is an event that results in more parking than the area will accommodate, the Friends of Ambler Farm is quite diligent about blocking off both the entrance and the exit very clearly with wooden barricades, so that there is no traffic at all. They also have teenagers or older adolescents that are part of an apprentice program who are there helping to guide traffic.

There being no further comments from the Commission or the public, at 9:00 P.M. the Public Hearing was closed.

REGULAR MEETING

A. CALL TO ORDER SEATING OF MEMBERS

Ms. Poundstone called the Regular Meeting to order at approximately 9:02 P.M. and seated members Ayers, Bayer, Gould, Nabulsi, Poundstone, Pratt and Rudolph, and referred to Connecticut General Statutes Section 8-11, Conflict of Interest.

B. APPROVAL OF MINUTES

1. July 13, 2009 – Regular Meeting

MOTION was made by Ms. Gould, seconded by Ms. Pratt, and carried (6-0-1, with Commissioner Poundstone abstaining) to approve the minutes of the July 13, 2009 Regular Meeting as drafted.

C. ACCEPTANCE OF NEW APPLICATIONS

1. SDP, Wilton 372 Associates, LLC, 372 Danbury Road, Alternative Signage

The application was accepted and discussion followed.

D SITE DEVELOPMENT PLAN REVIEW

1. SDP, Wilton 372 Associates, LLC, 372 Danbury Road, Alternative Signage

Mr. Nerney explained that during the road construction the State took out a significant number of trees, many large 40 year old spruce trees, which opened up the property to be much more visible. Shortly after the beginning of the highway project the building was sold to a new property owner, who saw the opportunity to upgrade the building. It has been refaced and there has been a redefinition of parking behind the building. The main entrance to the building is actually on the back side.

The previous signage has been removed, and the new owner would like to replace the main sign on Danbury Road with a sign that is 18 square feet and complies with the sign code requirement regulations, so it does not require approval. The sign is a monument sign close to the ground, and would be externally illuminated in colors that would pick up the colors of the building itself.

In addition, they would like to have a sign that would have a listing of the various tenants on the back side of the building oriented toward the doorway. It would not be viewable from the highway or from adjoining properties. The sign exceeds the code requirements, and under zoning regulations, the Commission has the authority to grant signage in excess of what is currently allowed.

Present for the applicant was Tom Riley, representing Track Consulting, and Sal Campofranco, managing member of Wilton 372 Associates, LLC. Mr. Riley said they are finishing up the renovation of the building, and one of the last parts is getting some identification signage. The street sign will identify the property and maybe three of the main tenants, but since it is a multi-tenant building with up to 20 tenants, they wanted an alternate

sign so that when people drive up to the building, they recognize that they are in the right place. It is in a landscaped island and is well presented. It is not visible from the street.

Ms. Gould asked if the numerical identification on the street sign is large enough to be read by people driving by. Mr. Riley said they will look at that to make sure it is identifiable. He said the letters on the inside sign are one and a half inches, which is sufficient for somebody in a vehicle stopped in front of it or someone walking up to the entryway.

Mr. Bayer questioned whether from a safety perspective it is a wise idea to have people trying to read a sign while they are trying to navigate the parking lot. Mr. Campofranco said prior to their purchasing the building, there was no real pedestrian way. They have cut the curb in and moved the island out so that people clearly understand they are coming up to a pedestrian area and to slow down. The sign is clearly in the pedestrian/visitor drop-off area. It is between the ADA handicap ramps in front of the building. There is a good visual line of sight. If a person stops their car, it is wide enough that another car can go around and proceed to a parking space.

Mr. Nerney said if the Commission is inclined to act favorably, staff will put together a resolution with relevant conditions limiting the type of lighting, the external light, and the dimensions and locations discussed.

MOTION was made by Ms. Ayers, seconded by Mr. Nabulsi, and carried (7-0) to approve the alternative signage application with the inclusion of the lighting clause.

E. PENDING APPLICATIONS

- 1. SP#347, Mincey, 500 Ridgefield Road, Addition/renovations to historically significant residence per Section 29-5.C.8 of zoning regulations**

Ms. Ayers recused herself.

Ms. Poundstone suggested continuing the discussion until September 14th as they received a lot of information which needs consideration.

Mr. Nabulsi said he would like to start discussing the application briefly, because before they look into what conditions they might want to place on an approval, they should get a sense of where the Commissioners are on the fundamental issues, such as did the applicants demonstrate that they are entitled to the relief, and to the extent that they did demonstrate that, does the Commission feel that some of the proposals, like tearing down the front bump, is inappropriate given the way that the regulation is structured. He said he is satisfied that a substantial portion, if not the majority, of the structure is pre-1920, and that it satisfies the spirit of the regulation.

Mr. Bayer said he agrees that the information presented was the type of information they need to make a determination as to whether the structure fits the criteria of the regulation, but he thinks as an administrative step they have to decide whether they want to accept the phasing proposed by the applicant. He said he thinks the question is whether this is one application or two.

Ms. Gould pointed out that the state enabling legislation, as well as their own regulations, give an applicant five years to complete a project, and at that point, if it is not completed, the permit goes away. The integrity of the first project is not undermined by the second phase. It just makes the living space a little more acceptable to the family.

Mr. Bayer commented that once the CO is issued, the Town has no power to do anything with regard to the structure. Ms. Gould said the Building Department gives conditional COs, and they deal with it in different ways. Mr. Nerney said normally with larger projects, such as large office buildings, there are temporary Certificates of Occupancy issued, bonds are required to be posted, and it is not unusual to have projects phased.

Mr. Rudolph said he was extremely impressed with the presentation by the applicant's historical professional, as well as the applicant's architect, but feels they are being asked to make subjective and aesthetic decisions and is in favor of continuing the discussion until September in order to look more closely at the whole application and the report they just received.

2. SUB3900, Polito, 248 Sturges Ridge Road, 2-lot subdivision

(Withdrawn.)

**3. SP#288E, Ambler Farm, Town of Wilton, 257 Hurlbutt St,
Restoration/Addition/Change to Public & Semi-Public Use of Raymond-
Ambler House**

Ms. Poundstone said she has three concerns with the application. The number of beds should be limited to two in the proposed intern room; they need to hear from the Health Department in regard to the septic system; and they should reiterate the previous conditions.

Ms. Ayers said she feels the intern program would be very helpful. At Weir Farm they give artists free rent for a month to come and draw or sculpt or do whatever they do, and she can see how it would be very helpful to have interns work with the students on various projects, while at the same time getting college credit.

Mr. Nabulsi said not only should there be a condition that the intern room not be used for rental purposes or commercial use, but that it can only be used for interns in support of programs for a limited time period.

Ms. Poundstone said once they change the use from residence, it sounds like nobody can ever live there.

Mr. Nerney said there are activities that often take place and different uses that simply do not rise to constituting a residential use in the sense that was anticipated under the zoning regulation. He thinks this is a public/semi-public museum type use that has different components, and they can impose conditions to insure that it remain and function in that capacity.

F. COMMUNICATIONS

G. REPORT FROM CHAIRMAN AND COMMISSION MEMBERS

H. REPORT FROM PLANNER

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

MOTION was made by Ms. Ayers, seconded by Mr. Nabulsi, and carried (7-0) to adjourn at 9:50 P.M.

Respectfully submitted,

Karen Pacchiana
Recording Secretary