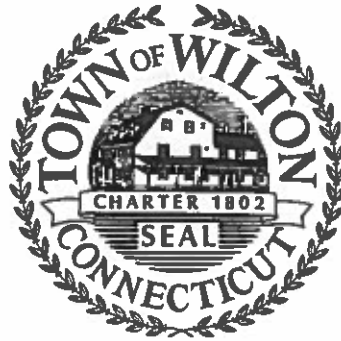


PLANNING & ZONING  
COMMISSION  
Telephone (203) 563-0185  
Fax (203) 563-0284



TOWN HALL ANNEX  
238 Danbury Road  
Wilton, Connecticut 06897

**WILTON PLANNING AND ZONING COMMISSION  
PUBLIC HEARING/REGULAR MEETING  
AGENDA**

DATE: Monday, June 10, 2019  
TIME: 7:15 P.M.  
PLACE: Wilton Town Hall Annex, Meeting Room A, 238 Danbury Road, Wilton, CT 06897

**WORK SESSION:**

1. Discussion with Town Counsel Ira Bloom pertaining to affordable housing and expiration of moratorium.

**PUBLIC HEARINGS**

At this time interested persons may be heard after being recognized by the Chair of the Commission. See last page of this Agenda for more information on the Public Hearing process.

1. **REG#19377: Applicant:** 200 Danbury Road, LLC **Application:** To amend Section 29-2.B.17, Section 29-6.E.6 and Section 29-6.E.12 of Wilton Zoning Regulations to increase maximum building height, allowable stories and maximum floor area ratio in the Design Retail Business (DRB) Zoning District

Date of Commission Receipt:	4/22/2019
Initial Public Hearing Opening Date:	5/28/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 6/24/2019 unless applicant consents to extension.

2. **SP#458: Applicant:** Wilton Heights, LLC **Application:** To allow a drive-up facility for a pharmacy within a previously approved retail/residential development, pursuant to Section 29-6.C.4.o of zoning regulations; for property located at 300 Danbury Road, Whitewood Lane (Assessor's Map #58, Lot #37), Whitewood Lane (Assessor's Map #58, Lot #39), 3,7 and 11 Whitewood Lane

Date of Commission Receipt:	5/13/2019
Initial Public Hearing Opening Date:	6/10/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 7/8/2019 unless applicant consents to extension.

## **REGULAR MEETING**

### **A. CALL TO ORDER SEATING OF MEMBERS**

### **B. APPROVAL OF MINUTES**

1. May 28, 2019 – Regular Meeting

### **C. ACCEPTANCE OF NEW APPLICATIONS**

### **D. SITE DEVELOPMENT PLAN REVIEW**

### **E. PENDING APPLICATIONS**

1. **SP#453: Applicant:** O'Brien/SSS Investment LP **Application:** To allow addition of new building consisting of three one-bedroom apartments and six additional parking spaces, where office space and one residential apartment currently exist, pursuant to Section 29-5.C.5 of zoning regulations (Adaptive Use); for property located at 487 Danbury Road.  
*[Decision must be rendered by July 22, 2019]*
2. **SP#457: Applicant:** Motors Group Associates, Ltd Partnership **Application:** To allow a parking and vehicle storage area for an existing automotive sales and service facility at the premises, for property located at 10 North Main Street.  
*[Decision must be rendered by July 22, 2019]*
3. **REG#19377: Applicant:** 200 Danbury Road, LLC **Application:** To amend Section 29-2.B.17, Section 29-6.E.6 and Section 29-6.E.12 of Wilton Zoning Regulations to increase maximum building height and maximum floor area ratio in the Design Retail Business (DRB) Zoning District *[Application status noted above]*
4. **SP#458: Applicant:** Wilton Heights, LLC **Application:** To allow a drive-up facility for a pharmacy within a previously approved retail/residential development, pursuant to Section 29-6.C.4.o of zoning regulations; for property located at 300 Danbury Road, Whitewood Lane (Assessor's Map #58, Lot #37), Whitewood Lane (Assessor's Map #58, Lot #39), 3,7 and 11 Whitewood Lane *[Application status noted above]*

### **F. COMMUNICATIONS AND REPORT FROM PLANNER AND/OR COMMISSION MEMBERS**

1. Buffam, 112 Belden Hill Road, Advisory opinion on interpretation of Section 29-4.B.8.c of Zoning regulations pertaining to limitations on adjoining accessways for rear lots.

2. Town Center Toys, Wilton River Park Shopping Center, River Road, Request for administrative approval of proposed signage for premises previously known as The Athlete's Foot.

#### **G. PLAN OF CONSERVATION AND DEVELOPMENT (POCD) UPDATES**

1. Continuing discussion pertaining to the POCD (as needed)

#### **H. FUTURE AGENDA ITEMS**

#### **I. UPCOMING MEETINGS**

1. Monday, June 24, 2019 – Regular Meeting (Annex, Room A, 7:15 PM)
2. Monday, July 8, 2019 – Regular Meeting (Annex, Room A, 7:15 PM)
3. Thursday, July 18, 2019 – Special Meeting/Public Hearing - Plan of Conservation & Development (Trackside, 7 PM)

#### **J. ADJOURNMENT**

##### **How the Public Hearing Process Works**

Pursuant to Connecticut General Statutes, applications that require a public hearing are administered in three distinct phases. It is important to recognize that public comment, either written or oral communication, cannot be received by the Commission once a public hearing is closed.

1. *Application Receipt Phase:* An application to the Commission is considered “received” at the first regularly-scheduled meeting of the Commission following submittal of the application to the town offices or thirty-five days; whichever date occurs first. The public hearing must open within sixty-five (65) days following the application receipt date.
2. *Public Hearing Phase:* Once opened, a public hearing must be heard and close within thirty-five (35) days. This stage is when the applicant presents the application to the Commission and interested party are allowed to comment on application. Again, public comment cannot be received once the hearing is closed.
3. *Deliberations Phase:* Once a public hearing closes, the Commission is provided sixty-five (65) days to deliberate the merits of an application and render a decision. Though public comment is not taken at this point, these meetings are open to public.

*Time Extensions:* Note, the Connecticut General Statutes provides up to sixty-five (65) days of additional extension time which can be applied to any of the three referenced phases. This is to encourage a complete and thorough review of applications before the Commission and to allow for full public participation.

*Continuances:* Public hearing matters are subject to requests for continuation or withdrawal at any time prior to a scheduled hearing. Inquiries regarding late changes may be made to the Planning and Zoning Department during business hours at (203) 563-0185.



Amendment to the Town of Wilton Zoning Regulations  
Section 29-6 Business Districts

200 Danbury Road, LLC

June 4 , 2019

**PROPOSED TEXT AMENDMENT TO SECTION 29-6.E.**

(Additions indicated in bold, red)

(Discussion is in blue)

**E. AREA AND BULK REQUIREMENTS**

The following area and bulk requirements shall be applicable to all developments in the DRB, GB and WC Districts, as indicated. Dimensions are in feet unless otherwise indicated.

	DRB Design Retail Business	GB General Business	WC Wilton Center
1. Minimum Front Yard	50(a) *	50(a) *	10(d)*
2. Maximum Front Yard	75 *	75 *	20(e)*
3. Minimum Side Yard (each)	25	25	0 *
- When abutting a residential district	85(b)	85(b)	75(b, f)
3a. Maximum Side Yard on one side of the property	50 *	50 *	NA*
- When abutting a Residential district	85(b) *	85(b)	* NA
4. Minimum Rear Yard	25	25	20
- When abutting a residential district	85(b)	85(b)	75(b)
5. Minimum Parking and Loading Setbacks (side and rear yards)	10	10	0 **
	[** 20 feet where the property abuts a multi-family district]		
	[** 60 feet where the property abuts a single-family district]		
- When abutting a residential District	60	60	60 (f)
6. Maximum Building Height (Stories/Feet)	2/35(c, <b>g</b> )	2/35(c)	3/42(c, f) *

Amendment to the Town of Wilton Zoning Regulations  
Section 29-6 Business Districts

200 Danbury Road, LLC

June 4, 2019

7. Maximum Building Coverage (%)	20	25	30
8. Maximum Site Coverage (%)	80	80	80
9. Minimum Lot Size (acres)	1	1	No Minimum
10. Minimum Lot Frontage	100	50	No Minimum
11. Minimum Width	100	50	No Minimum
12. Maximum Floor Area Ratio (F.A.R)	0.25(h)	0.35	0.50 *

(a) Except that where no parking is provided in the front yard, only 30 feet shall be required. In either case, a ten-foot minimum width landscaped area approved by the Commission shall be provided along the front lot line, except where driveway entrances and exits are located.

(b) Where adjoining property in a residence district lies within the right-of-way of a railroad, the building setback may be reduced to 50 feet and the parking and loading setbacks may be reduced to ten feet.

(c) Except as otherwise provided in 29-4.C.1.

(d) Where property fronts on Danbury Road (U.S. Route 7) 50 feet, except that where no parking is provided in the front yard, only 30 feet shall be required. In either case, a 10-foot minimum width landscaped area approved by the Commission shall be provided along the front lot line, except where driveway entrances and exits are located. On Danbury Road, and within 1,000 feet of the Wilton Center Train Station, the front landscaped depth shall be an average measurement between the back of sidewalk in the right-of-way and the parking on the subject property.

(e) Where the property fronts on Danbury Road (U.S. Route 7), 75 feet.

(f) On Danbury Road, and within 1,000 feet of the Wilton Center Train Station, and where Building Coverage is no more than 20% and Site Coverage is no more than 40%, the Commission may approve the following standards in the Wilton Center District:

(1) Maximum Building Height (Stories/Feet): 3 ½ / 46' (and no more than 54' to the highest ridge for buildings with sloped roofs)

(2) The Minimum Side Yard abutting property zoned and used for a single-family residence (i.e. one principal dwelling unit per property) shall be no less than 75 feet. Otherwise, the Minimum Side Yard shall be no less than 30 feet provided the following additional standards are met:

a. The height of the building as measured from the average grade along the side property boundary within 75 feet of the proposed building is less than 35 feet.

b. A mix of deciduous and evergreen planting is installed in the side yard.

Amendment to the Town of Wilton Zoning Regulations  
Section 29-6 Business Districts

200 Danbury Road, LLC

June 4 , 2019

(3) Parking and loading located inside or below a structure and not visible from a residence district shall meet the minimum yard requirements for a principal structure.

(g) In order to further the diversity of housing stock within the Town of Wilton while supporting the redevelopment of underperforming commercial properties, the Commission may allow by Special Permit a Maximum Building Height of 3 stories and 41' (and no more than 48' to the highest ridge for buildings with sloped roofs) provided that:

- i. The Property shall have frontage on Route 7, be served by sewer and water, have a minimum lot size of two (2) acres, and a minimum lot frontage and width of 200 feet and be located south of Cannon Road and north of Wolfpit Road;
- ii. Residential units shall be provided above first floor commercial;
- iii. 20% of the developments housing units shall utilize two or more principals of Universal Design principals; (<http://universaldesign.ie/what-is-universal-design/the-7-principles/the-7-principles.html>, See Attachment A);
- iv. The development shall utilize two or more methods of green building as enumerated by the Green Building Alliance; (<https://www.go-gba.org/resources/green-building-methods>, See Attachment B);
- v. The development shall contain a "stage of life" mix of one and two-bedroom units and may include studio apartments; and
- vi. Elevators shall serve floors above the first floor in three story buildings.

(h) In order to further the preservation, rehabilitation, restoration, reconstruction and/or adaptive re-use of historic structures that contribute to positive aspects of community character, the Commission may allow by Special Permit, an increase of the Maximum Floor Area (F.A.R) to .40 provided that:

- i. The property shall have frontage on Route 7, be served by sewer and water, have a minimum lot size of two (2) acres, and a minimum lot frontage and width of 200 feet and be located south of Cannon Road and north of Wolfpit Road;
- ii. The property shall contain a structure(s) listed in the state or national register of historic places or in a local historic resources inventory;
- iii. Such historic building(s) may be relocated and/or incorporated into a larger plan of development subject to Special Permit approval by the Commission;

- iv. The Commission determines the structure(s) in question contributes to community character or possesses a degree of historic significance (to be evidenced by its age, architectural uniqueness, and or cultural value);
- v. The Commission determines that even if building materials are proposed to be substituted and modernized, the method and degree of preservation maintains the character, aesthetic and architecture of the historic building;
- i. The historic building or structure shall be adapted for permitted uses in the DRB zone; and
- vi. The Special Permit granted by the Commission shall only remain effective so long as the subject structure(s) is preserved and maintained as a principal structure on the property.

Where the historic building(s) or structures are incorporated into a larger plan of development, the following guidelines shall apply:

- i. Architecture appropriate to the vicinity so as to promote basic design elements and relationships that will help maintain and enhance a harmonious architectural character and generate a village atmosphere;
- ii. Use sidewalks / walkways as organizing elements. The overall design of the site should provide a safe, logical approach and entry to all buildings and site use areas for pedestrians;
- iii. The scale, proportions, massing and detailing of any proposed building should be in proportion to the scale, proportion, massing and detailing in the vicinity of the site and should foster a "sense of place" through building placement, architecture and site hardscape;
- iv. The overall design of the site should provide a safe, logical approach and entry to all buildings and site use areas for vehicles;
- v. Where appropriate, outdoor gathering areas with furnished seating should be considered near eating establishments and designated "common" areas to foster "sense of place";
- vi. Hardscape and Landscape design should be used in a logical, orderly manner that defines spatial organization and relates to buildings and structures; and
- vii. The use of underground parking should be encouraged where appropriate.



## Amendment to the Town of Wilton Zoning Regulations

### Section 29-2.B.17 – Building Height

#### PROPOSED TEXT AMENDMENT

(Additions indicated in red)

BUILDING HEIGHT: The vertical distance to the level of the highest point of the roof's surface if the roof is flat, or to the mean level between the eaves and the highest point of the roof if any other type, measured from the average elevation of the finished grade adjacent to the exterior walls of the building. Where such finished grade is established by filling, however, its average elevation shall not be taken to be more than five feet above the average elevation of the outer perimeter of required yard spaces around the building. *Where a building comprises a flat roof and sloped roof, the height shall be the higher of the two as determined herein.*  
[See Appendix A, Figure A-3]

Modified Appendix A

Zoning Illustrations

Figure A-3: Measurement of Building Height

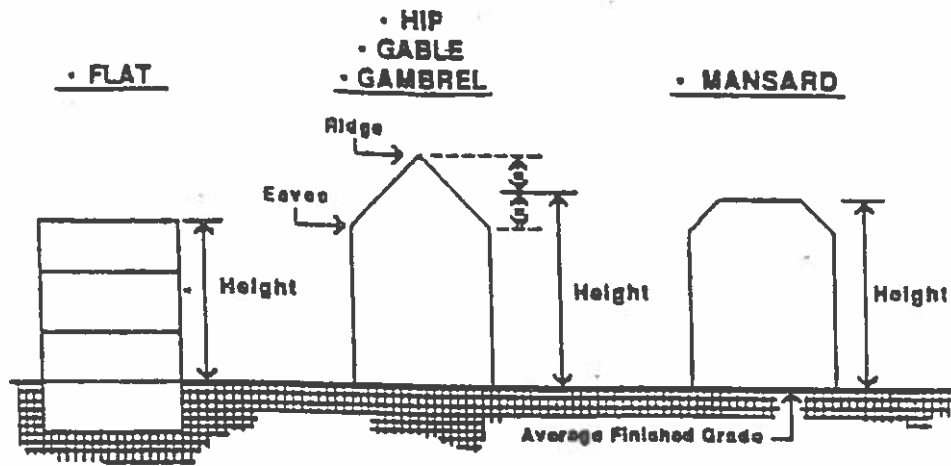


FIGURE A-3: MEASUREMENT OF BUILDING HEIGHT

Flat and Hip, Gable, Gambrel combined (Higher of the two)

