

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



TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut

March 5, 2024

Via E-Mail referral@westcog.org

Francis Pickering, Executive Director
WestCOG
1 Riverside Road
Sandy Hook, CT 06482

RE: Change of Zone Amendment #23407 - Fuller Development, LLC – 64 Danbury Road – Change from existing DE-5 zone to DE-5R

Dear Mr. Pickering:

Please find the attached materials for the above referenced change of zone amendment. The applicants are requesting a change to the DE-5R overlay zone, which allows multifamily use in the DE-5R zone. Along with this amendment, the applicants have filed a Special Permit application for a 93-unit residential development, which could be allowed if the zone change is approved. This particular amendment would only apply to the 64 Danbury Road parcel. In addition, the applicants have requested a change in the regulations to modify the steep slope regulations in the DE-5 zone. That will be coming under separate cover.

The Planning and Zoning Commission will be holding a public hearing on this matter, tentatively scheduled for the end of the month. Please return any comments to me at Michael.Wrinn@wiltonct.org.

Very truly,

Michael E. Wrinn

Michael E. Wrinn,
Town Planner

Email – F. Pickering & Kristin Floberg @ WestCog.org
Attachments

**WILTON PLANNING & ZONING
COMMISSION**

CHANGE OF ZONE APPLICATION

CHZ#

AMENDMENT DESCRIPTION: Describe in detail the reasons for the proposed amendment. Attach additional sheets as required.

The Applicants seek to change the zone of the Wilton Corporate Park to DE-5R (Design Enterprise Residential District) from its existing designation as DE-5 (Design Enterprise District). The Applicants request this change to redevelop the existing commercial office building at 64 Danbury Road into a multi-family residential development. The proposed redevelopment is in accord with the 2019 Plan of Conservation and Development and the Purpose of the DE-5R District, as stated in section 29-7.D.1 of the Zoning Regulations.

**DE-5 (Design Enterprise District)
EXISTING DESIGNATION**

Fuller Development, LLC
Wilton - 64 Danbury Road Owner LLC

APPLICANTS' NAMES

Wilton - 64 Danbury Road Owner, LLC

OWNER'S NAME

50, 60, 64 Danbury Road, Wilton, CT (Wilton Corporate Park)

PROPERTY LOCATION

Map No. 5971 2515

640

68

WLR

VOLUME

PAGE

TAX MAP #

**DE-5R (Design Enterprise Residential District)
PROPOSED DESIGNATION**

1 N. Water St., Norwalk, CT 06854
280 Park Ave, 5th Fl., New York, NY 10017

ADDRESSES

280 Park Ave, 5th Floor, New York, NY 10017

ADDRESS

DE-5 (Design Enterprise District)

ZONING DISTRICT

33 - Units 50, 60, 64 22.27± ac

LOT #

ACREAGE

THE FOLLOWING MATERIALS ARE REQUIRED:

***Please see SPECIAL INSTRUCTIONS FOR SUBMISSION DURING COVID at:**

Application Forms / Materials | Wilton CT

***All submitted plans and documents shall bear** an original signature, seal, and license number of the professional responsible for preparing each item. Maps should be **folded, not rolled**.

- ☒ **VICINITY SKETCH** at a scale of 1"=100' or 1"=200'. Said map shall show all existing zone boundaries, existing buildings and parcels, labeled by their corresponding Tax Map and Lot number, within 500' of the subject property.
- ☒ **CLASS A-2 SURVEY MAP** of the subject property.
- ☒ **LIST OF PROJECT PROFESSIONALS** including name, firm, address and telephone.
- ☒ **LETTER OF TITLE** certifying owner of record as of date of the application.
- ☒ **LIST OF OWNERS WITHIN 500'** of any portion of subject property, sorted by Tax Map and Lot number.
[See online GIS instructions at: [owner list 500 ft gis directions.pdf \(wiltonct.org\)](https://www.wiltonct.org/owner-list-500-ft-gis-directions.pdf)
- ☒ **ENVELOPES** addressed to each property owner within 500 feet of any portion of subject property
[See "Envelope Instructions" at: [envelopes instructions 0.pdf \(wiltonct.org\)](https://www.wiltonct.org/envelopes-instructions-0.pdf)
- ☒ **ANY OTHER PLAN OR DOCUMENT AS REQUIRED BY THE ZONING REGULATIONS.**
- ☒ **ELECTRONIC SUBMISSION OF ALL MATERIALS**, consolidated into 1 or 2 PDFs Maximum, emailed to Michael.wrinn@wiltonct.org and daphne.white@wiltonct.org
- ☒ **\$460 FILING FEE** payable to: Town of Wilton.

THE APPLICANT understands that this application is to be considered complete only when all information and documents required by the Commission have been submitted and is responsible for the payment of all legal notices incurred.

THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his or her knowledge and belief; and hereby grants visitation and inspection of the subject property as described herein.

Lisa Feinberg
APPLICANT'S SIGNATURE

1/2/24
DATE

LFeinberg@carmedylaw.com 203-425-4200
EMAIL ADDRESS TELEPHONE

Lisa Feinberg
OWNER'S SIGNATURE

1/2/24
DATE

LFeinberg@carmedylaw.com 203-425-4200
EMAIL ADDRESS TELEPHONE

* C/o agent: Lisa Feinberg, Carmody Torrance Sandak & Hennessy

SCHEDULE A – STATEMENT OF COMPLIANCE
WITH CHANGE OF ZONE REVIEW CRITERIA

I. STANDARD OF REVIEW

A. Zoning Map Amendment

The standards for Map Amendment approval are set forth in section 29-12.E.2 of the Regulations, and state as follows:¹

Petition for Amendment: Any owner of property within the Town may petition the Commission for an amendment to the text of these Regulations or the Zoning Map. Three copies of such petition shall be submitted to the Commission prior to a Commission meeting and shall include or be accompanied by the following information, as appropriate:

- a. The proposed wording of any requested amendment to the text of these Regulations clearly indicating any suggested repeal or elimination of existing provisions as well as any proposed new provisions.

N/A

- b. A map drawn to a convenient scale showing property lines, building locations, section lot and block numbers according to the Tax Assessor's records, and any other relevant information concerning any properties, including neighboring lands, which are the subject of an application for an amendment to the Zoning Map.

Please refer to the exhibit and survey prepared by D'Andrea Surveying & Engineering, PC, titled "Proposed revision of Zoning Area at 50, 60, & 64 Danbury Road, Wilton, Connecticut," prepared for DIVFIFTY, LLC, dated January 2, 2024, and "Zoning Location Survey of Property at 50, 60 & 64 Danbury Road, Wilton, Connecticut," prepared for DIVFIFTY, LLC, and revised to January 2, 2023,² respectively. A reduced-size copy of the existing Zoning Map has been enclosed for reference.

- c. A written statement of the reasons for the proposed amendment, including full disclosure of any special interest the petitioner may have by virtue of property ownership, or otherwise, in such change.

The Applicants seek the proposed map amendment in connection with their joint interest in the redevelopment of the Subject Property pursuant

¹ The italicized text below the Zoning Amendment standards are statements explaining the compliance of the proposed development with said Regulations.

² To be submitted under separate cover.

to the enclosed plans. If the map amendment is not approved, the Applicants cannot redevelop the Subject Property as proposed.

The proposed map amendment is harmonious with both the 2019 Plan of Conservation and Development (the "POCD") and the Zoning Regulations (the "Regulations"). The Design Enterprise Residential District Overlay (DE-5R Overlay) was specifically adopted to permit parcels zoned DE-5 and located south of Wolfpit Road with frontage along Danbury Road, like the Subject Property, to be redeveloped with multi-family residential developments. Section 29-7.D.1 of the Regulations declares that the DE-5R overlay is "intended to allow for the conversion or redevelopment of commercial properties, or portions thereof . . . into multi-family dwelling units for rental or sale. In keeping with the Plan of Conservation and Development, the overlay zone is intended to increase the availability of multi-family housing . . . units diversifying the Town's housing stock to support a range of life stages." The Applicants submit that the proposed plan, which envisions the replacement of an underutilized office building with ninety-three (93) apartments, is in direct furtherance of this goal.

- d. The name and address of each petitioner.

See the completed Change of Zone Application Form.

- e. In the case of a petition for amendment to the Zoning Map, stamped envelopes addressed to each of the owners, as specified in 29-12.G., except stamped envelopes shall not be required for amendments to the zoning map which would affect large areas of the Town encompassing multiple properties when initiated by the Commission or to amendments to the text of the zoning regulations.

The Applicants submit that they will comply with the notice requirements as set forth in section 29-12.E.2.e and 29-12.G of the Regulations.

- f. The Commission may require the petitioner to submit, at or prior to the public hearing on such application, any other information which the Commission deems necessary or appropriate to permit it to arrive at a proper determination concerning the requested amendment.

The Applicants submit that they will provide additional information deemed necessary or appropriate by the Commission in connection the requested map amendment.



JANUARY 2, 2024

D'ANDREA SURVEYING & ENGINEERING, PC

- LAND PLANNERS
- ENGINEERS
- SURVEYORS

P.O. BOX 549
RIVERSIDE, CT 06878

6 NEIL LANE
TEL. 637-1779

1 INCH = 400 FEET

SCALE



PROPOSED REVISION OF ZONING AREA

AT

**50, 60, & 64 DANBURY ROAD
WILTON, CONNECTICUT**