

GREGORY AND ADAMS, P.C.

ATTORNEYS AT LAW
190 OLD RIDGEFIELD ROAD
WILTON, CT 06897

ESTABLISHED 1964

NEW YORK OFFICE:
156 WEST 56TH STREET, NEW YORK, NY 10012
(212) 757-0434

(203) 762-9000 FAX: (203) 834-1628
WWW.GREGORYANDADAMS.COM

JULIAN A. GREGORY
(1912 - 2002)

THOMAS T. ADAMS
(1929 - 2015)

PLEASE REPLY TO SENDER:
J. CASEY HEALY
DIRECT DIAL: 203-571-6304
jhealy@gregoryandadams.com

PAUL H. BURNHAM
SUSAN L. GOLDMAN
J. VANCE HANCOCK
J. CASEY HEALY
DERREL M. MASON*
MATTHEW C. MASON*
JAMES D'ALTON MURPHY*
RALPH E. SLATER
ROGER R. VALKENBURGH *

* ALSO ADMITTED IN NEW YORK
⊕ ALSO ADMITTED IN VERMONT

September 4, 2019

To be delivered by hand

Planning and Zoning Commission
Town Hall Annex
238 Danbury Road
Wilton, CT 06897

Attn: Mr. Robert J. Nerney – Director of Planning and Land Use Management

Re: MNG Equities LLC - Application to Amend Zoning Regulations

Dear Members of the Commission:

As attorney for Brightview Senior Living (“**Brightview**”) and as authorized agent for MNG Equities LLC (“**MNG**”), I hereby submit an application to amend the following sections of the Zoning Regulations of the Town of Wilton (the “**Regulations**”) regarding Congregate Housing and Assisted Living:

1. Section 29-4.D.4.a – Location of Congregate Housing Units;
2. Section 29-4.D.4.d – Density;
3. Section 29-4.D.4.i – Maximum Building Height;
4. Section 29-4.D.4.m – Affordable Housing Units;
5. Section 29-4.D.6.a – Location of Assisted Living Facilities; and
6. Section 29-8,B,5,a.(13) – Minimum Parking Requirements for Congregate Housing.

In connection therewith, I enclose fifteen (15) copies each of the following:

1. One (1) original and fourteen (14) copies of the Application to Amend Zoning Regulations.
2. Proposed Text Amendments.
3. Planning Evaluation prepared by Kimley-Horn dated September 3, 2019.

4. Assisted Living Zoning Analysis prepared by Redniss & Mead dated August 28, 2019.
5. Letter signed by MNG authorizing Brightview to act as its agent in connection with this application.
6. Letter signed by Brightview as the authorized agent for MNG authorizing Gregory and Adams, P.C. to act as its agent in connection with this application.
7. Gregory and Adams's letter certifying that MNG holds title to that certain property located at 2 Pimpewaug Road in Wilton (a copy of the Deed by which MNG acquired the title to the Premises is attached to the letter).

As an owner of property located within the Town of Wilton, MNG is entitled to petition the Commission to amend pursuant to Section 29-21-E.2 of the Regulations.

I also enclose a check drawn to the order of the Town of Wilton in the amount of \$460.00 in payment of the filing fee.

If you have any questions, please do not hesitate to contact me.

Respectfully submitted,
Gregory and Adams, P.C.

By: 
J/Casey Healy

JCH/ko

Enclosures

cc: Messrs. Steve Marker and Alan Siegfried– Brightview Senior Living Development
Mr. David B. Schiff – Kimley-Horn
Mr. John W. Block – Tighe & Bond

**WILTON PLANNING AND ZONING
COMMISSION**

AMEND REGULATIONS

REG#

Section 29-4.D.4 - Congregate Housing, Section 49-4-D.6 - Assisted Living
and Section 29-8.B.5 - Minimum Parking Requirements
TITLE OF REGULATIONS TO BE AMENDED

(i) Section 29-4.D.4.a; (ii) Section 29-4.D.4.d; (iii) Section 29-4.D.4.i;
(iv) Section 29-4.D.4.m; (v) Section 29-4.D.6.a and Section 29-8.B.5.a.(13).

REFERENCE SECTION(S) TO BE AMENDED

MNG Equities, LLC
J. Casey Healy
c/o Gregory and Adams, P.C.

190 Old Ridgefield Road
Wilton, CT 06897

APPLICANT'S NAME

ADDRESS

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

See Proposed Text Amendments attached.

THE FOLLOWING MATERIAL SHALL BE ATTACHED:

Fifteen **COLLATED** copies of all application materials shall be submitted.

☒ **\$ 460 FILING FEE** payable to: **Town of Wilton.**

☒ **THE PROPOSED AMENDED TEXT.**

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.

Brightview Senior Living Development ("Brightview") as authorized agent for MNG Equities, LLC
by Gregory and Adams, P.C. as attorneys for Brightview

By: J. Casey Healy
APPLICANT'S SIGNATURE

BY: J. Casey Healy

September 4, 2019
DATE

203-571-6304
TELEPHONE

Brightview Senior Living

Proposed Text Amendments

1. Modify Section 29-4.D.4.a:

Location: Congregate Housing shall be permitted only: *(1) on sites having a minimum of 50 feet of frontage and direct access to Danbury Road, Westport Road, River Road or Station Road; or (2) on sites located within 100 feet of Danbury Road, as measured from its closest point, containing a building of historical and/or architectural value that will be preserved and having frontage on a road that provides vehicular access from the site directly to Danbury Road.*

2. Modify Section 29-4.D.4.d:

Density: Congregate Housing Development in a Designed Enterprise District (DE-5 or DE-10) shall not exceed eighteen units per acre and in all other districts shall not exceed twelve units per acre *with the exception that a Congregate Housing development on property located within 100 feet of Danbury Road, as measured from its closest point, containing a building of historical and/or architectural value that will be preserved and having frontage on a road that provides vehicular access directly to Danbury Road, shall not exceed twenty-four units per acre* nor have an average of more than 1.5 bedrooms per unit nor have an average unit size of greater than 900 square feet. All bedrooms shall be at least ten feet by ten feet. For the purpose of this paragraph, any room containing more than 100 square feet other than a living room, bathroom or kitchen, shall be considered a bedroom.

3. Modify Section 29-4.D.4.i:

Maximum Building Height: ~~In a Designed Enterprise District (DE-5 or DE-10) 39' or three stories, whichever is less, and in all other districts 35' or two and one-half stories, whichever is less.~~

4. Modify Section 29-4.D.4.m:

Affordable Housing Units: A minimum of ~~20%~~ 10% of the total number of units shall be affordable housing units and shall conform to the requirements of 29-5.B.10 of the Regulations *with the exception that the standard lease provision (reference being made to Section 29-5.B.10.k of the Regulations) shall state and the monthly payment (reference being made to Section 29-5.B.10.m of the Regulations) shall be calculated based upon the lesser of 80% of area median income or State median income for 5% of the units and the lesser of 60% of area median income or State median income for 5% of the units.*

5. Modify Section 29-4.D.6.a:

Location: Assisted Living shall be permitted only: (1) on sites having a minimum of 50 feet of frontage and direct access to Danbury Road, Westport Road or River Road; or (2) on sites located within 100 feet of Danbury Road, as measured at its closest point, containing a building of historical and/or architectural value that will be preserved and having frontage on a road that provides vehicular access from the site directly to Danbury Road.

6. Modify Section 29.8.5.a.(13)

Congregate Housing: ~~1.0~~ 0.65 per dwelling unit

MEMORANDUM

To: Town of Wilton Planning and Zoning Commission

From: David Schiff, AICP
Kimley-Horn of New York, P.C.

Date: September 3, 2019

Subject: Brightview Senior Living (“**Brightview**”)

Purpose

Brightview Senior Living has proposed to develop senior housing on a 6.9 acre site located on Danbury Road and Pimpewaug Road in the Town of Wilton (the “Site”). The housing would include a mix of independent living units (defined as Congregate Housing in the Wilton Zoning Regulations), assisted living units and memory care units (also defined as Assisted Living units in the Zoning Regulations) in a three-story building. Common spaces including dining areas, art studios, game rooms, and other supportive spaces would also be contained within the buildings.

The Site is zoned R-2A. Congregate housing (which would include the proposed independent living units) is permitted in all zoning districts in Wilton; assisted living (which would include the assisted living and memory care units) is permitted in all districts except for the Wilton Center District. For each of these uses, applications are subject to special permit and site plan review as well as certain specific requirements enumerated in the Zoning Regulations. As described below, certain of those requirements present issues for the proposed development. As a result, Brightview is requesting certain zone text changes as detailed in this memorandum.

Zoning

An element of the Zoning Regulations with which the proposed development does not comply is the requirement for frontage on and direct access to certain roads. While the Site is located in close proximity to Danbury Road, its configuration and physical characteristics, and Brightview’s agreement to respond affirmatively to the Town’s request that the historic Gregory House on the property be preserved, constrain the design of the site. The resulting site plan does not allow for there to be direct vehicular access to and from Danbury Road absent the demolition and removal of the Gregory House.

Requirements for access to a major road for congregate housing and assisted living are found within the Wilton Zoning Regulations as follows:

- Congregate Housing (29-4.D.4): Frontage (50') and direct access to Danbury Road, Westport Road, River Road or Station Road
- Assisted Living (29-4.D.6): Frontage (50') and direct access to Danbury Road, Westport Road or River Road

Similar requirements also show up in several other places in the Zoning Regulations while differing as to which roads are identified and what is required:

- Nursing Home (29-4.D.5): Frontage (50') on Danbury Road, Westport Road or River Road; no requirement for direct access
- Housing Opportunity Development District (HODD) (29-5.E): Frontage on Danbury Road; no amount of frontage specified; direct access not required
- Multi-Family Residential Districts (29-5.B.3.c): "All multi-family residential developments shall be provided with direct access to a major or secondary road as defined in the Town of Wilton road standards."
- Child Day Care Centers (29-5.A.k): "On locations fronting on a major or secondary road as shown on the Town Plan of Development Map, or having direct and convenient access to such road."
- Charitable Organizations (29-5.A.r): "On residentially-zoned properties when fronting on Danbury Road or on major or secondary roads within 750 feet of Danbury Road (as measured from the edge of the right-of-way of Danbury Road to the nearest property line of the subject property); provided that the charitable organization shall not occupy more than 10,000 square feet of gross floor area."

As can be seen above, the Zoning Regulations contain variations in the frontage and access requirements for various uses; even for those (e.g., nursing home, multi-family residential) that share certain similarities with the Brightview proposal.

The rationale for these frontage and access requirements is summarized in the 2010 *Town Plan of Conservation and Development* which states that, "Wilton's zoning regulations limit some higher intensity uses that may be allowed in residential zones to specific roads," and

uses congregate housing as an example. The rationale for such regulations is that it “can help ensure that traffic is not generated on roads that are not adequate to handle the traffic.”

Another relevant planning document is SWRPA’s *Route 7 Transportation and Land Use Study* (2011). That report does not specifically address the proposed Brightview location. It does, however, recommend that each involved municipality “enhance access design criteria in the zoning regulations and work to implement municipal Curb Cut Plans over time.” It also recommends that access management strategies should be implemented for the section of Route 7 in Wilton extending north from the intersection with Cannon Road, noting that it would add capacity and improve safety. Thus, cutting down on Danbury Road curb cuts is consistent with regional policies as well as good planning and traffic engineering practice.

The evidence from the varying Zoning Regulations and the relevant planning documents suggests that the objective of keeping incompatible levels of traffic off local residential streets can be accomplished without the requirement for direct frontage and access on a major roadway. Rather, the same objective can be realized by being in close proximity to such a road and having convenient access to it, thereby eliminating the need to send traffic through a residential neighborhood.

As noted above, the Town has also indicated that it is interested in the preservation of the historic Gregory House located on the subject property. This is consistent with the objective codified in Section 29.D.C.5 of the Zoning Regulations:

Adaptive Use of Historic Buildings: It is the policy of the Commission to encourage the preservation, restoration and maintenance of existing residential and related outbuildings of historical and/or architectural significance on or near Danbury Road.

The proposed text amendments presented below are designed to accommodate the proposed senior housing while also incorporating this historic objective.

Proposed Zoning Text Amendments

The proposed Brightview development would contain both assisted living and congregate housing. To permit a coordinated design, Brightview is proposing that certain zoning regulations pertaining to congregate care be revised to mirror similar controls on assisted living that were revised in 2017. The proposed changes are as follows:

1. Modify Section 29-4.D.4.a:

Location: Congregate Housing shall be permitted only: (1) on sites having a minimum of 50 feet of frontage and direct access to Danbury Road, Westport Road, River Road or Station Road; or (2) on sites located within 100 feet of Danbury Road, as measured from its closest point, containing a building of historical and/or architectural value that will be preserved and having frontage on a road that provides vehicular access from the site directly to Danbury Road.

2. Modify Section 29-4.D.4.d:

Density: Congregate Housing Development in a Designed Enterprise District (DE-5 or DE-10) shall not exceed eighteen units per acre and in all other districts shall not exceed twelve units per acre *with the exception that a Congregate Housing development on property located within 100 feet of Danbury Road, as measured from its closest point, containing a building of historical and/or architectural value that will be preserved and having frontage on a road that provides vehicular access directly to Danbury Road, shall not exceed twenty-four units per acre* nor have an average of more than 1.5 bedrooms per unit nor have an average unit size of greater than 900 square feet. All bedrooms shall be at least ten feet by ten feet. For the purpose of this paragraph, any room containing more than 100 square feet other than a living room, bathroom or kitchen, shall be considered a bedroom.

3. Modify Section 29-4.D.4.i:

Maximum Building Height: ~~In a Designed Enterprise District (DE-5 or DE-10) 39' or three stories, whichever is less, and in all other districts 35' or two and one-half stories, whichever is less.~~

4. Modify Section 29-4.D.4.m:

Affordable Housing Units: A minimum of 20% ~~10%~~ of the total number of units shall be affordable housing units and shall conform to the requirements of 29-5.B.10 of the Regulations *with the exception that the standard lease provision (reference being made to Section 29-5.B.10.k of the Regulations) shall state and the monthly payment (reference being made to Section 29-5.B.10.m of the Regulations) shall be calculated based upon the lesser of 80% of area median income or State median income for 5% of the units and the lesser of 60% of area median income or State median income for 5% of the units.*

5. Modify Section 29-4.D.6.a:

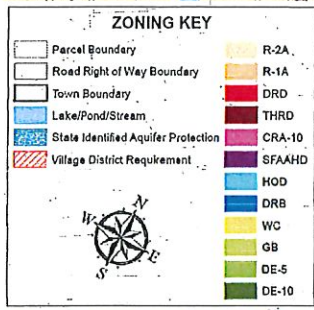
Location: Assisted Living shall be permitted only: (1) on sites having a minimum of 50 feet of frontage and direct access to Danbury Road, Westport Road or River Road; or (2) on sites located within 100 feet of Danbury Road, as measured at its closest point, containing a building of historical and/or architectural value that will be preserved and having frontage on a road that provides vehicular access from the site directly to Danbury Road.

6. Modify Section 29.8.5.a.(13)

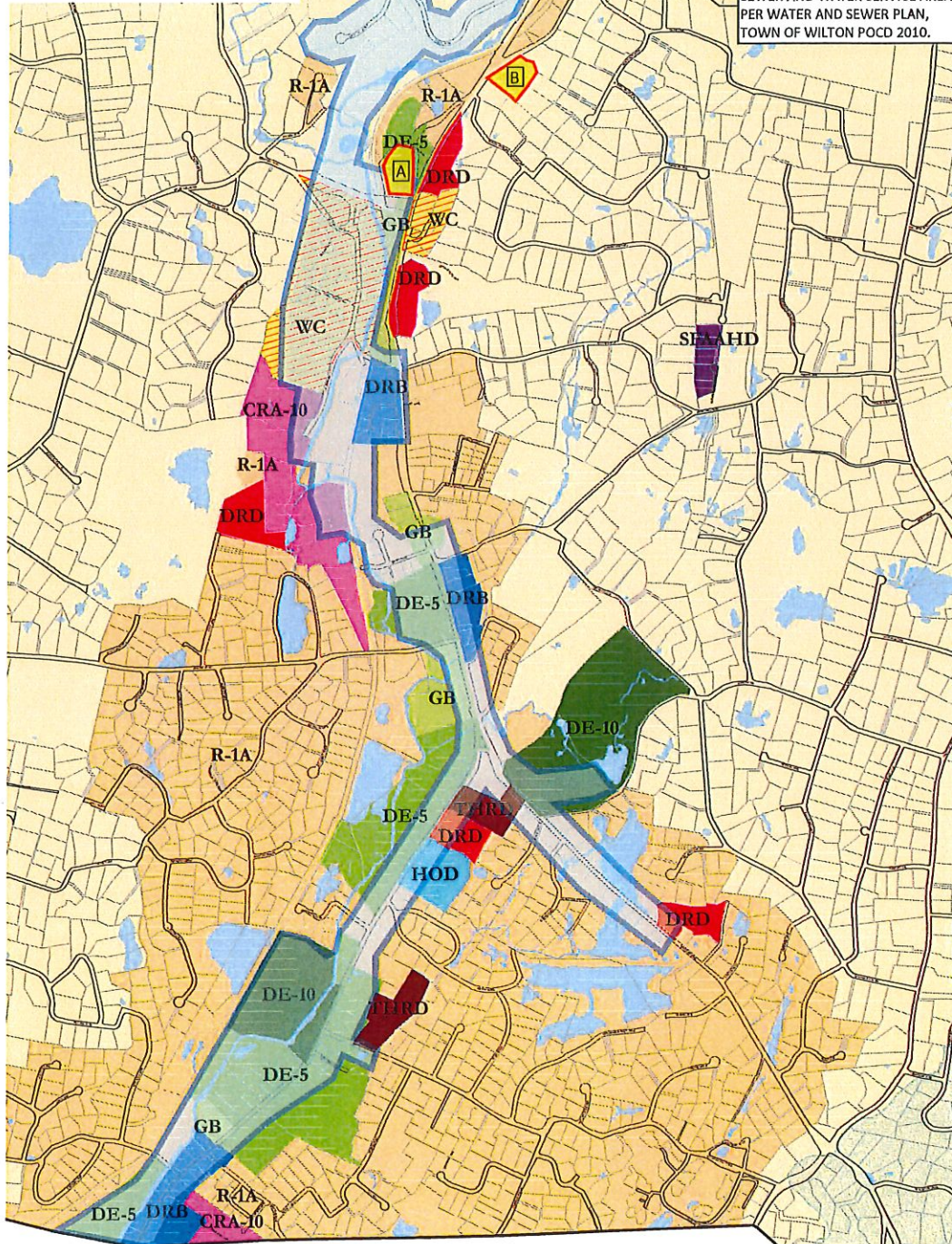
Congregate Housing: ~~4.0~~ 0.65 per dwelling unit

Assisted Living Analysis

3+ Acres & Within 100' of Danbury Road



APPROXIMATE LIMIT OF EXISTING
SEWER AND WATER SERVICE AREA
PER WATER AND SEWER PLAN,
TOWN OF WILTON POCD 2010.



8/28/2019

Wilton Assisted Living Analysis: 3+ Acres Within 100' of Danbury Road

	Property Address	Property Size (Acres)	Zones	Usage	Parcel ID	Stability
A	15 Old Danbury Road	4.28	DE-5	Mixed Use	74-22	Stable
B	2 Pimpewaug Road	4.06	R-2	Residential	59-17	Underdeveloped
C	3 Cannon Road	3.17	R-2	Aquarion Water Company	47-1-4	Underdeveloped



15 Old Danbury Road

Date Printed: 8/28/2019



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Wilton and its mapping contractors assume no legal responsibility for the information contained herein.

Zoning Effective: July 28, 2017

Planimetrics Updated: 2014

Approximate Scale: 1 inch = 150 feet





Town of Wilton, CT

Property Listing Report

Map Block Lot

74-22

Account

003140

Property Information

Property Location	15 OLD DANBURY RD
Owner	CD STATION LLC
Co-Owner	MARCUS PARTNERS ACCT DEPT
Mailing Address	301 MERRITT 7 NORWALK CT 06851
Land Use	2-1 Commercial
Land Class	C
Zoning Code	DE-5
Census Tract	
Sub Lot	
Neighborhood	9000
Acreage	4.28
Utilities	Public Water,Public Sewer
Lot Setting/Desc	Rolling
Survey Map	
Foundation	1

Photo



Sketch



Primary Construction Details

Year Built	1968
Stories	3
Building Style	Class A Office
Building Use	Commercial
Building Condition	Excellent +20
Floors	Carpet
Total Rooms	

Bedrooms	
Full Bathrooms	
Half Bathrooms	
Bath Style	
Kitchen Style	
Roof Style	Flat
Roof Cover	Tar/Gravl/Rubbr

Exterior Walls	Reinforced Cnc
Interior Walls	Drywall
Heating Type	Forced Air
Heating Fuel	Electric
AC Type	Central
Gross Bldg Area	94483
Total Living Area	81697



Town of Wilton, CT

Property Listing Report

Map Block Lot 74-22

Account

003140

Valuation Summary (Assessed value = 70% of Appraised Value)

Item	Appraised	Assessed
Buildings	5373300	3761310
Extras	119700	83790
Outbuildings	181900	127330
Land	6912900	4839030
Total	16864100	11804870

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
Basement, Unfinished	3968	0
Enclosed Porch	72	0
Canopy	8394	0
Upper Story, Finished	48598	48598
Loading Platform, Unfinished	352	0
First Floor	33099	33099
Total Area	94483	81697

Outbuilding and Extra Items

Type	Description
Computer Floor	1640 S.F.
Sprinklers Wet	85388 S.F.
Fence 4'	430 L.F.
Lights 1	16 UNITS
Paving Asphaul	115000 S.F.
Elevator	3 STOP
Elevator	3 STOP
Lights (2)	5 UNITS
Shed	96 S.F.

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
CD STATION LLC	1158/0193	3/15/1999	7050000
STATION PARK LLC	1127/0274	10/5/1998	3500000
LAVIN, MARCELINO E & JUDITH P	0696/0200	9/14/1989	0

Town of Wilton

Geographic Information System (GIS)



2 Pimpewaug Road

Date Printed: 8/28/2019



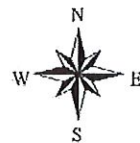
MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Wilton and its mapping contractors assume no legal responsibility for the information contained herein.

Zoning Effective: July 28, 2017

Planimetrics Updated: 2014

Approximate Scale: 1 inch = 100 feet





Town of Wilton, CT

Property Listing Report

Map Block Lot

59-17

Account

002131

Property Information

Property Location	2 PIMPEWAUG RD		
Owner	MNG EQUITIES LLC		
Co-Owner	C/O NAVA GUERON		
Mailing Address	2450 NE 196TH ST MIAMI FL 33180		
Land Use	1-1C	Residential	
Land Class	C		
Zoning Code	R-2		
Census Tract			
Sub Lot			
Neighborhood	5000		
Acreage	4.06		
Utilities	Well,Septic		
Lot Setting/Desc	Rolling		
Survey Map			
Foundation	1		

Photo



Sketch



Primary Construction Details

Year Built	1860
Stories	3
Building Style	Retail Off/Apt
Building Use	Commercial
Building Condition	Average
Floors	Hardwood
Total Rooms	3

Bedrooms	
Full Bathrooms	
Half Bathrooms	
Bath Style	
Kitchen Style	
Roof Style	Gable/Hip
Roof Cover	Asphalt Shngl.

Exterior Walls	Clapboard
Interior Walls	Drywall
Heating Type	Hot Water
Heating Fuel	Oil
AC Type	Central
Gross Bldg Area	4020
Total Living Area	2034



Town of Wilton, CT

Property Listing Report

Map Block Lot

59-17

Account

002131

Valuation Summary (Assessed value = 70% of Appraised Value)

Item	Appraised	Assessed
Buildings	225800	158060
Extras	0	0
Outbuildings	26900	18830
Land	1036400	725480
Total	1235400	864780

Outbuilding and Extra Items

Type	Description
Barn 2 St.	640 S.F.
Shed	48 S.F.
Lean To	130 S.F.
Lean To	260 S.F.
Gar w B and L	460 S.F.
Shed	221 S.F.

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
First Floor	1197	1197
Upper Story, Finished	837	837
Basement, Unfinished	837	0
Open Porch	312	0
Attic, Unfinished	837	0
Total Area	4020	2034

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
MNG EQUITIES LLC	2484/0765	2/26/2018	0
2 PIMPEWAUG ROAD LLC	2091/0328	12/10/2009	950000
GREGORY JOHN R ESTATE OF	1898/0215	9/22/2006	0
GREGORY JOHN R	0630/0322	12/23/1987	0

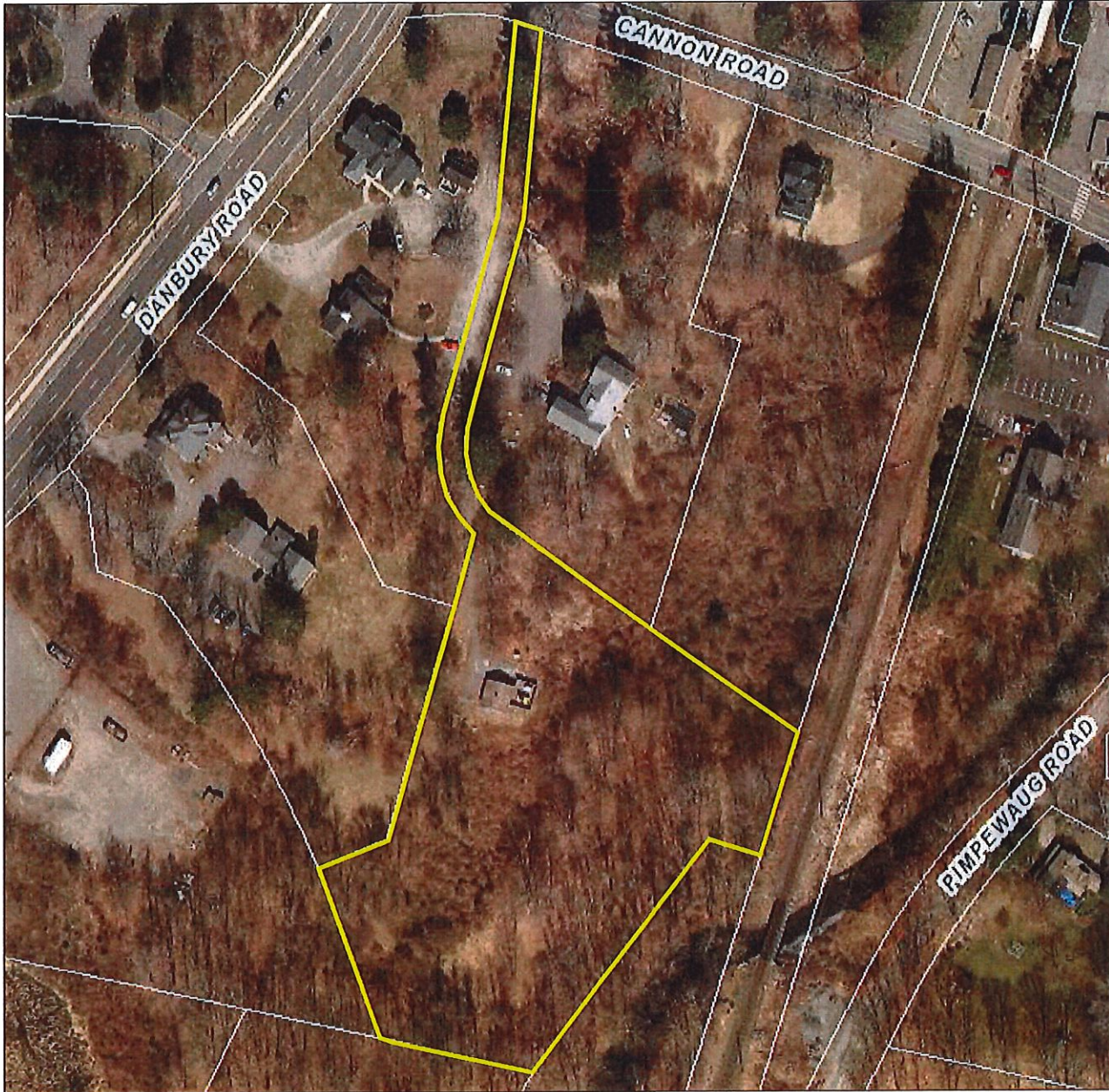
Town of Wilton

Geographic Information System (GIS)



3 Cannon Road

Date Printed: 8/28/2019



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Wilton and its mapping contractors assume no legal responsibility for the information contained herein.

Zoning Effective: July 28, 2017

Planimetrics Updated: 2014

Approximate Scale: 1 inch = 150 feet





Town of Wilton, CT

Property Listing Report

Map Block Lot

47-1-4

Account

000582

Property Information

Property Location	3 CANNON RD
Owner	AQUARION WATER COMPANY OF CT
Co-Owner	ATTN: TAX
Mailing Address	600 LINDLEY ST BRIDGEPORT CT 06606
Land Use	4-1V Pub Utilit MDL-00
Land Class	I
Zoning Code	R-2
Census Tract	
Sub Lot	
Neighborhood	05
Acreage	3.17
Utilities	
Lot Setting/Desc	Level
Survey Map	
Foundation	1

Photo



Sketch

Primary Construction Details

Year Built	
Stories	
Building Style	
Building Use	
Building Condition	
Floors	
Total Rooms	

Bedrooms	
Full Bathrooms	
Half Bathrooms	
Bath Style	
Kitchen Style	
Roof Style	
Roof Cover	

Exterior Walls	
Interior Walls	
Heating Type	
Heating Fuel	
AC Type	
Gross Bldg Area	
Total Living Area	



Town of Wilton, CT

Property Listing Report

Map Block Lot 47-1-4

Account 000582

Valuation Summary (Assessed value = 70% of Appraised Value)

Item	Appraised	Assessed
Buildings	0	0
Extras	0	0
Outbuildings	0	0
Land	232500	162750
Total	243800	170660

Outbuilding and Extra Items

Type	Description

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
Total Area		0

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
AQUARION WATER COMPANY OF CT	1388/0031	5/30/2002	0
AQUARION WATER COMPANY OF CT	1372/0133	4/1/2002	0
BHC COMPANY	1022/0316	1/2/1997	0
BRIDGEPORT HYDRAULIC CO	0365/0277	4/16/1981	87500

GREGORY AND ADAMS, P.C.

ATTORNEYS AT LAW
190 OLD RIDGEFIELD ROAD
WILTON, CT 06897

ESTABLISHED 1964

PAUL H. BURNHAM
SUSAN L. GOLDMAN
J. VANCE HANCOCK
J. CASEY HEALY
DERREL M. MASON*
MATTHEW C. MASON*
JAMES D'ALTON MURPHY*⊕
RALPH E. SLATER
ROGER R. VALKENBURGH *

* ALSO ADMITTED IN NEW YORK
⊕ ALSO ADMITTED IN VERMONT

NEW YORK OFFICE:
156 WEST 56TH STREET, NEW YORK, NY 10012
(212) 757-0434

(203) 762-9000 FAX: (203) 834-1628
WWW.GREGORYANDADAMS.COM

JULIAN A. GREGORY
(1912 - 2002)

THOMAS T. ADAMS
(1929 - 2015)

PLEASE REPLY TO SENDER:
J. CASEY HEALY
DIRECT DIAL: 203-571-6304
jhealy@gregoryandadams.com

August 14, 2019

By E-Mail Only

MNG Equities LLC
Attn: Mr. Marc Gueron

Re: MNG Equities, LLC - Application to Amend Zoning Regulations

Dear Mr. Gueron:

The Planning and Zoning Commission of the Town of Wilton requires a letter signed by MNG Equities, LLC as the applicant authorizing Brightview Senior Living Development to act as its agent in connection with the above-referenced application. Please sign a copy of this letter and return it to me.

Very truly yours,

/s/ J. Casey Healy

J. Casey Healy

JCH:ko

The undersigned hereby authorizes Brightview Senior Living Development to act as its agent in connection with the above-referenced application.

MNG Equities, LLC

By:



Marc Gueron

Its:
Duly Authorized

GREGORY AND ADAMS, P.C.

ATTORNEYS AT LAW
190 OLD RIDGEFIELD ROAD
WILTON, CT 06897

ESTABLISHED 1964

JULIAN A. GREGORY
(1912 - 2002)

THOMAS T. ADAMS
(1929 - 2015)

PAUL H. BURNHAM
SUSAN L. GOLDMAN
J. VANCE HANCOCK
J. CASEY HEALY
DERREL M. MASON*
MATTHEW C. MASON*
JAMES D'ALTON MURPHY*⊗
RALPH E. SLATER
ROGER R. VALKENBURGH *

NEW YORK OFFICE:
156 WEST 56TH STREET, NEW YORK, NY 10012
(212) 757-0434

(203) 762-9000 FAX: (203) 834-1628
WWW.GREGORYANDADAMS.COM

PLEASE REPLY TO SENDER:
J. CASEY HEALY
DIRECT DIAL: 203-571-6304
jhealy@gregoryandadams.com

* ALSO ADMITTED IN NEW YORK
⊗ ALSO ADMITTED IN VERMONT

August 14, 2019

By E-Mail Only

Brightview Senior Living Development
Attn: Mr. Steve Marker

Re: MNG Equities, LLC - Application to Amend Zoning Regulations

Dear Mr. Marker:

The Planning and Zoning Commission of the Town of Wilton requires a letter signed by Brightview Senior Living Development as authorized agent for MNG Equities, LLC as applicant authorizing Gregory and Adams, P.C. to act as its agent in connection with the above-referenced application. Please return a signed copy of this letter to me.

Very truly yours,

/s/ J. Casey Healy

J. Casey Healy

JCH:ko

cc: Mr. Alan Siegfried – Brightview Senior Living Development

The undersigned hereby authorizes Gregory and Adams, P.C. to act as its agent in connection with the above-referenced application.

Brightview Senior Living Development

By:



Its:

Duly Authorized

GREGORY AND ADAMS, P.C.

ATTORNEYS AT LAW
190 OLD RIDGEFIELD ROAD
WILTON, CT 06897

ESTABLISHED 1964

NEW YORK OFFICE:
156 WEST 56TH STREET, NEW YORK, NY 10012
(212) 757-0434

(203) 762-9000 FAX: (203) 834-1628
WWW.GREGORYANDADAMS.COM

JULIAN A. GREGORY
(1912 - 2002)

THOMAS T. ADAMS
(1929 - 2015)

PLEASE REPLY TO SENDER:
J. CASEY HEALY
DIRECT DIAL: 203-571-6304
jhealy@gregoryandadams.com

PAUL H. BURNHAM
SUSAN L. GOLDMAN
J. VANCE HANCOCK
J. CASEY HEALY
DERREL M. MASON*
MATTHEW C. MASON*
JAMES D'ALTON MURPHY*
RALPH E. SLATER
ROGER R. VALKENBURGH *

* ALSO ADMITTED IN NEW YORK
* ALSO ADMITTED IN VERMONT

September 3, 2019

Planning and Zoning Commission
Town Hall Annex
238 Danbury Road
Wilton, CT 06897

Re: MNG Equities LLC – Application to Amend Zoning Regulations

Dear Members of the Commission:

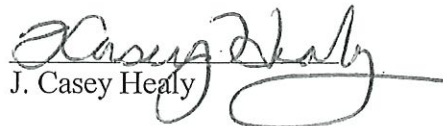
We hereby certify that MNG Equities LLC (“MNG”) holds title to that certain premises located at 2 Pimpewaug Road by virtue of an Executor’s Deed from Lois Webb, Executrix for the Estate of John R. Gregory to 2 Pimpewaug Road, LLC (“2 Pimpewaug”) dated December 8, 2009 and recorded on December 10, 2009 in Volume 2091 of the Wilton Land Records at Page 328 (a copy of which Deed is enclosed).

A Change of Name Certificate dated January 18, 2017 by which 2 Pimpewaug changed its name to MNG was recorded on February 26, 2018 in Volume 2484 of the Wilton Land Records at Page 765 (a copy of which Certificate is enclosed).

As an owner of property located within the Town of Wilton, MNG is entitled to petition the Commission to amend the Zoning Regulations of the Town of Wilton (the “Regulations”) pursuant to Section 29-21.E.2 of the Regulations.

Very truly yours,
GREGORY AND ADAMS, P.C.

By:


J. Casey Healy

JCH/ko
Enclosures

00114926

VOL# 2091 PG# 328

Return to: Peter G. Snyder, Esquire
444 Danbury Road
Wilton, Connecticut 06797

STATUTORY FORM

EXECUTOR'S DEED

I, LOIS WEBB, EXECUTRIX FOR THE ESTATE OF JOHN R. GREGORY of 5621 Country Road 60
Millersburg, Ohio for the consideration of NINE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS
(\$950,000.00), grant to 2 PIMPEWAUG ROAD, LLC a limited liability company having its principal place of
business at 2450 NE 196th Street, Miami, Florida 33180

With EXECUTOR'S Covenants:

All that certain piece or parcel of land with all the improvements thereon and known as 2 Pimpewaug Road,
Wilton, Connecticut and further described on Schedule A attached hereto and made a part hereof.

The Grantee herein agrees to assume and pay the real property taxes due the Town of Wilton on the Grand List
of October 1, 2008, second installment and thereafter.

Conveyance Tax Received
TOWN \$ 2375.00 STATE \$ 9,000.00

Said premises are subject to rights of tenants in possession.

Betty Jean Rasognetti
Town Clerk of Wilton

Signed at Millersburg, Ohio this 8th day of December, 2009.

ESTATE OF JOHN R. GREGORY

Wanda S. Mullet
Wanda S. Mullet

By Lois Webb executrix
Lois Webb, Executrix

Deborah J. Kandel
Deborah J. Kandel

STATE OF OHIO

SS:

December 8, 2009

COUNTY OF HOLMES

Personally appeared, Lois Webb, Executrix of the Estate of John R. Gregory duly authorized, signer and sealer of
the foregoing instrument and acknowledged the same to be her free act and deed before me.



NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 12/26/2014

Wanda S. Mullet

DD114926

VOL: 2091 PG: 329

1
SCHEDULE "A"
2 PIMPEWAUG ROAD
WILTON, CONNECTICUT

All that certain piece or parcel of land being 4.057 +- acres as depicted on a map entitled "Property Survey prepared for The Estate of John R. Gregory" dated October 8, 2009 recorded as Map No. 5661 in the Office of the Town Clerk of the Town of Wilton. Said property being bounded and described as follows:

Beginning at a point on the southeasterly highway line of Pimpewaug Road at its intersection with the easterly highway line of Danbury Road, U.S. Route 7, as depicted on said map. Said point being the northwesterly property corner of land of Joel E. T. Jones and the southwesterly property corner of land herein described;

Thence running northeasterly along said southeasterly highway line of Pimpewaug Road the following courses and distances:

N41°59'50"E 458.62' and
N42°46'30"E 22.09' to land of Scott D. Richardson;

Thence running southeasterly along said land of Scott D. Richardson the following courses and distances:

S77°00'53"E 88.71',
N88°06'21"E 87.20' and
S3T01'50"E 131.47', to the northwesterly corner of land of Stephen Pettibone and
Andress Pettibone, said point delineated by the intersection of two stonewalls;

Thence running southwesterly, following a stonewall, along said land of Stephen Pettibone and Andress Pettibone in part, and along land of Mikael Herve and Heather Borden in part, the follow courses and distances:

S11°49'10"E 19.63',
S25°13'20"W 37.83',
S19°12'20"W 151.81',
S220 1'00"W 89.87',
S21°13'20"W 60.28' and
S21°11'20"W 91.53' to land of Jeffrey M. Johnson and Mona Johnson said
point delineated by intersection of two stonewalls;

Thence running northwesterly, following a stonewall, along said land of Jeffrey M. Johnson and Mona Johnson in part, and along land of Joel E. T. Jones in part, the following courses and distances:

N64°56'20"W 249.69',
N67°48'50"W 164.22', and
N71°59'40"W 12.93';

Thence continuing northwesterly along said land of Joel E. T. Jones, delineated in part by a stonewall, the following courses and distances:

N64°41'10"W 26.93' and
N70°02'50"W 9.67' to the point and place of beginning.

Together with a perpetual easement for pass and repass for pedestrians and vehicles as set forth in a deed dated June 30, 1998 and recorded July 7, 1998 in Volume 1110 at Page 123 of the Wilton Land Records.

Together with drainage easement set forth in a deed dated June 30, 1998 and recorded on July 7, 1998 in Volume 1110 at Page 123 of the Wilton Land Records.

Said premises are subject to:

1. Easement to the Connecticut Light and Power Company recorded in Volume 49 at Page 379 of the Wilton Land Records.
2. Easement to the Connecticut Light and Power Company recorded in Volume 115 at Page 152 of the Wilton Land Records.
3. Easements and Rights to the State of Connecticut dated October 31, 1979 and recorded on November 5, 1979 in Volume 337 at Page 180 of the Wilton Land Records as also shown on Map No. 3758 of the Wilton Land Records.
4. Easement to the State of Connecticut recorded in Volume 339 at Page 68 of the Wilton Land Record, as also shown on Map No. 3764 of the Wilton Land Records.
5. Trimming rights in favor of the Connecticut Light and Power Company as shown particularly on Map bearing File No. 2157 of the Wilton Land Records.
6. Resolution with conditions by the Town of Wilton Planning and Zoning Commission dated March 22, 1993 and recorded on March 23, 1993 in Volume 832 at Page 323 of the Wilton Land Records.
7. Resolution by the Town of Wilton Planning and Zoning Commission dated July 25, 1996 and recorded on July 25, 1996 in Volume 1001 at Page 156 of the Wilton Land Records.
8. Perpetual easement to pass and repass for pedestrians and vehicles as set forth in a deed dated June 30, 1998 and recorded on July 7, 1998 in Volume 1110 at Page 123 of the Wilton Land Records.
9. Drainage easement set forth in a Deed dated June 30, 1998 and recorded on July 7, 1998 in Volume 1110 at Page 123 of the Wilton Land Records.
10. Notes, easements, conditions and setback lines as shown on Map Nos. 2157, 2275, 5145 and 5661 of the Wilton Land Records.

Received For Record
Dec 10, 2009 AT 03:06P
ATTEST: Patricia J. Ragoanetti
Wilton Town Clerk



CHANGE OF NAME CERTIFICATE

To all whom it may concern:

Be it known that the undersigned is the owner of certain real property known as 2 Pimpewaug Road, Wilton, Connecticut; and be it further known the undersigned acquired title to said real estate under the name of 2 PIMPEWAUG ROAD, LLC by virtue of a deed recorded in Volume 2091 at Page 328 of the land records of the Town in which said real property is located;

and be it further known that the name of the undersigned was changed from

2 PIMPEWAUG ROAD, LLC to MNG EQUITIES, LLC by virtue of Filing of Amendment on December 27, 2016

This certificate is executed and acknowledged in accordance with Section 47-12 of the Connecticut General Statutes.

SYLVIE PANOPoulos
Witness Sylvie Panopoulos

MNG
Current Name Signature
MARC GUERON

Anthony Armijo
Witness Anthony Armijo

State of Connecticut

SS:

County of Fairfield

Subscribed and sworn to before me this 18th day of January 2017

Whitely

Notary Public
Commissioner of the Superior Court

Received for Record at Wilton, CT
On 02/28/2018 At 10:18:00 am

Glori A. Sabatone