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707 Summer Street

Stamford, CT 06901-1026

June 25, 2021

Michael Wrinn  
Director of Planning & Land Use Management  
Town of Wilton  
Land Use & Planning Department  
Town Hall Annex  
238 Danbury Road  
Wilton, CT 06897

RECEIVED

JUN 28 2021

PLANNING & ZONING

**Re: *Polito Builders, LLC – 490 Danbury Road, Wilton, CT  
Modification of Resolution #0511-9P – May 9, 2011***

Dear Mr. Wrinn:

As you know, this firm represents Polito Builders, LLC and its entities, owner of the property with the improvements thereon located at 490 Danbury Road in Wilton, Connecticut. This letter is written to supplement my client's April 21, 2021 submission and modify prior approvals for use of the existing structures secured in 2011. The property is 3.7+ acres, is zoned R2A and contains in excess of 25 parking spaces. (Refer to "Topographic Location Survey 490 Danbury Road, Wilton, Connecticut prepared for ROPO, LLC January 21, 2006" revised to 5-31-10 by Stalker Land Surveyors, and "Septic System Upgrade System Installation Plan SI 1/1" prepared by Peak Engineers, LLC, both attached hereto and made a part hereof).

The property is improved with a two-story frame building ("Building 1") for which approval was obtained in 2011 for one (1) professional office and garage on the lower level and three (3) apartments in the upper levels. The three (3) residential units range in size from 1,148+/- sq.ft. to 1,277+/- sq.ft. Per an application submitted by my client in April 2021, it proposes two (2) additional residential units of about 570+/- sq.ft. each on the upper level of the structure which approved, would bring the total number of units to five (5) in Building 1. Per prior approvals, by the Town of Wilton Planning & Zoning Commission in 2011, this structure was identified as the primary building on the property.

In addition, the property is improved with an historic structure ("Red House") which dates to 1795 and has been described as "one of the oldest and most complete" in the Cannondale Zion Historic District. It has been further identified as "an important example of one of Wilton's earliest house forms" and is important to Wilton's architectural history since "much of the original early styling survives." (Refer to May 1989 Historic Resources Inventory, attached hereto and made a part hereof). The Red House has been identified as an accessory structure.

My client proposes to modify the 2011 approval and change the use of the Red House from professional office to a mixture of residential and office. Specifically, my client proposes the creation of two (2) residential units

{S7315288}

in the Red House ranging from 650-929+/- sq.ft. and a 482+/- sq.ft. office on the ground floor. No alterations to the exterior nor additions to this structure are planned to accommodate the residential units and this adaptive reuse of this historic structure. Floor plans for all proposed interior changes were submitted in April 2021.

Sec. 29-5-C.5.c(3) of the Town of Wilton Zoning Regulations notes that “in conjunction with uses eligible for adaptive use, residence apartments may be permitted in the principle building” (emphasis added), subject to various requirements, all of which have been met or exceeded in conjunction with the adaptive use of the historic Red House. Furthermore, the language of this section of the regulations is permissive not mandatory and may be interpreted to mean that residential apartments as adaptive uses are permitted both in the principal structure and any accessory structure on a property. Moreover, the regulations do not expressly prohibit residential use in an accessory structure.

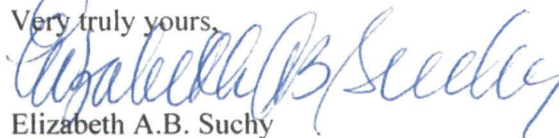
The residential units proposed in the Red House achieve the goals of the Commission articulated in the regulations by “encourage[ing] the preservation, restoration and maintenance of existing residential and related outbuildings of historic . . . significance on . . . Danbury Road;” by “enhance[ing] and preserve[ing] the exterior and interior integrity of the structure(s);” by “increase[ing] the functionality of obsolete or under-utilized structures;” by . . . “preserve[ing] the aesthetic appearance of the remainder of the property;” and by “maintain[ing] the general character of the neighborhood.”

Moreover, the proposed residential units are a more consistent and appropriate use of the Red House compared to entirely professional office, in light of its original use and history from the late 18<sup>th</sup> century. As noted in the Historic Resources Inventory, the Red House was identified as the “Hurlbutt-Keiser House,” “was a part of the considerable holdings of the Hurlbutt family,” and which for many years, had been a rental house for the family.

Finally, the proposed residential units in both Building 1 and the Red House could keep or attract young professionals to Wilton. The uses are similar to those in the general vicinity and put to good use structures that otherwise may not be fully occupied. Accordingly, my client’s request is in keeping with the spirit of the regulations and is a reasonable interpretation and application of them and therefore, should be approved.

I look forward to your comments. Kindly advise me of the date that this request will be considered and acted upon by the Planning & Zoning Commission.

Very truly yours,



Elizabeth A.B. Suchy

EABS

Encl.

cc: J. Polito

ANY REPRODUCTION, ALTERATION OR REPRESENTATION WITHOUT THE SURVEYOR'S KNOWLEDGE AND APPROVAL, WILL VOID ANY CONTIGATIONS, AND NO LIABILITY SHALL BE ASSUMED BY THE SURVEYOR FOR THE SAME.

THIS MAP NOT VALID WITHOUT THE SURVEYOR'S LIVE SIGNATURE AND EMBOSSED SEAL.

UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES NOT FIELD LOCATED. THE SIZE, LOCATION, EXISTENCE OR NON-EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES. CONTACT "CALL BEFORE YOU DIG" AT 1-800-922-1433.

REFERENCE MADE TO MAPS # 183, 1271, 1330, AND 2333 OF THE TOWN CLERK'S OFFICE.

ENCROACHMENTS, IF ANY, NOT LOCATED FOR THE PURPOSE OF THIS SURVEY.

THE PURPOSE OF THIS SURVEY IS TO DETERMINE COMPLIANCE WITH ZONING REGULATIONS.

REFER TO RIGHT OF WAY AND TRUCK MAP, W. YORK NEW HAVEN AND HARTFORD R.R. CO.

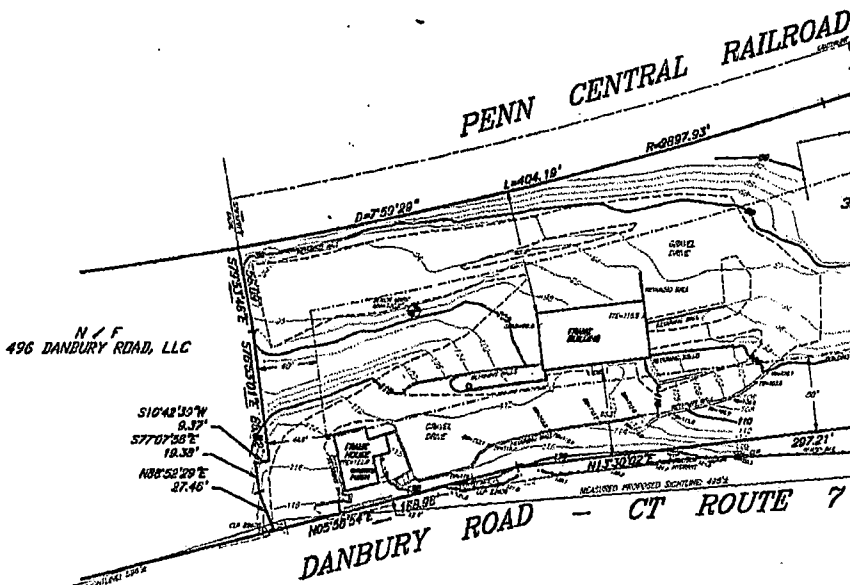
FROM DANBURY TO SOUTH NORWALK, SHEET 1158 89/12, DATED 6-30-10.

REFER TO CT. STATE HIGHWAY DEPT. RIGHT OF WAY MAPS 101-04, 543, & 554-497.

MAXIMUM BUILDING COVERAGE: 25%. EXISTING BUILDING COVERAGE: 2.4%

MAXIMUM SITE COVERAGE: 12%. EXISTING SITE COVERAGE: 2.4%.

DATA ASSUMED.



**TOPOGRAPHIC LOCATION SURVEY**  
**490 DANBURY ROAD**  
**ZONE: R2A**  
**WILTON, CONNECTICUT**  
**PREPARED FOR**  
**ROPO, LLC.**  
**JANUARY 21, 2006**

THIS MAP HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTION 20-300B-1 THROUGH 20-300B-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1996.

**SURVEY TYPE: TOPOGRAPHIC LOCATION SURVEY**  
**BOUNDARY DETERMINATION CATEGORY: DEPENDENT RESURVEY**  
**CLASS OF ACCURACY: 1"-5"**

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.  
 CERTIFIED BY:

ROGER [Signature]

PDF COPY

NO.	DATE	DESCRIPTION	BY
1	11-21-05	TOPO REVISION & EXPANSION	RAS
2	01-10-06	SIGHTLINE MEASURED	RAS
3	01-10-06	SITE & TOPO UPDATED	RAS



CLIENT NO.	RAS	DATE	11-21-05
CHECKED BY	RAS	PROJECT NO.	490DAN TOPG
DATE	07/3/2005	SHEET	1 OF 1





# ISTORIC RESOURCES INVENTORY UILDING AND STRUCTURES

R 7V 6/83

STATE OF CONNECTICUT  
CONNECTICUT HISTORICAL COMMISSION  
59 SOUTH PROSPECT STREET, HARTFORD, CONNECTICUT 06106  
(203) 546-3005

## FOR OFFICE USE ONLY

Town No.:	Site No.:
UTM	
QUAD:	
DISTRICT	IF NR. SPECIFY
<input type="checkbox"/> S <input type="checkbox"/> NR	<input type="checkbox"/> Actual <input type="checkbox"/> Potential

IDENTIFICATION	1. BUILDING NAME (Common)		(Historic)	
	Hurlbutt-Reiser House		unknown	
	2. TOWN/CITY	VILLAGE	COUNTY	
	Wilton		Fairfield	
DESCRIPTION	3. STREET AND NUMBER (and/or location)			
	490 Danbury Road		35/50 21/14	
	4. OWNER(S)			
	<del>Kedji, Limited and Keiser, Sylvia</del> SHARI M. BRENNAN		<input type="checkbox"/> Public <input checked="" type="checkbox"/> Private	
	5. (USE / Purpose)		(Historic)	
	Residence		Residence	
	6. ACCESSIBILITY TO PUBLIC:		EXTERIOR VISIBLE FROM PUBLIC ROAD	
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	7. STYLE OF BUILDING		DATE OF CONSTRUCTION	
	Cape		ca. 1790 or before	
DESCRIPTION	8. MATERIALS (Indicate use or location when appropriate)			
	<input checked="" type="checkbox"/> Clapboard <input type="checkbox"/> Asbestos Siding <input type="checkbox"/> Brick <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Wood Shingle <input type="checkbox"/> Asphalt Siding <input type="checkbox"/> Fieldstone <input type="checkbox"/> Board & Batten <input type="checkbox"/> Stucco <input type="checkbox"/> Cobblestone <input type="checkbox"/> Aluminum Siding <input type="checkbox"/> Concrete Type: _____ <input type="checkbox"/> Cut stone Type: _____			
	STRUCTURAL SYSTEM			
	<input type="checkbox"/> Wood frame <input checked="" type="checkbox"/> Post and beam <input type="checkbox"/> balloon <input type="checkbox"/> Structural iron or steel <input type="checkbox"/> Load bearing masonry <input type="checkbox"/> Other (Specify) _____			
	9. ROOF (Type)			
	<input checked="" type="checkbox"/> Gable <input type="checkbox"/> Flat <input type="checkbox"/> Mansard <input type="checkbox"/> Monitor <input type="checkbox"/> sawtooth <input type="checkbox"/> Gambrel <input type="checkbox"/> Shed <input type="checkbox"/> Hip <input type="checkbox"/> Round <input type="checkbox"/> Other (Specify) _____ (Material)			
	<input type="checkbox"/> Wood Shingle <input type="checkbox"/> Roll Asphalt <input type="checkbox"/> Tin <input type="checkbox"/> Slate <input type="checkbox"/> Other (Specify) _____ <input checked="" type="checkbox"/> Asphalt shingle <input type="checkbox"/> Built up <input type="checkbox"/> Tile			
	10. NUMBER OF STORIES		APPROXIMATE DIMENSIONS	
	1 1/2		23 x 24 + eills.	
	11. CONDITION (Structural)			
<input checked="" type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Deteriorated <input type="checkbox"/> Excellent <input checked="" type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Deteriorated (Exterior)				
12. INTEGRITY (Location)				
<input checked="" type="checkbox"/> On original site <input type="checkbox"/> Moved <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> If YES, EXPLAIN				
13. RELATED TO				
<input type="checkbox"/> Barn <input checked="" type="checkbox"/> Shed <input type="checkbox"/> Garage <input type="checkbox"/> Other landscape features or buildings (Specify) _____ <input type="checkbox"/> Carriage house <input type="checkbox"/> Shop <input type="checkbox"/> Garden				
14. SURROUNDING ENVIRONMENT				
<input type="checkbox"/> Open land <input type="checkbox"/> Wood-land <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Scattered buildings visible from site <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Rural <input type="checkbox"/> High building density				
15. INTERRELATIONSHIP OF BUILDING AND SURROUNDINGS				
Set close to the road, the house is one of the oldest and most complete in the area.				

(OVER)



DESCRIPTION (Continued)	17. OTHER NOTABLE FEATURES OF BUILDING OR SITE (Interior and/or exterior)	
	<p>The three-bay, central chimney cape with small, 6-over-6 windows appears to date from the last part of the 18th century, and it survives with much of its original proportioning intact. The exterior is more complete than the interior with its small openings, flush eaves, and early, lean-to, rear ell. On the interior, the massive central chimney has been removed to the basement, but its size as well as the low ceiling height indicate the venerable age of the structure. Framing members are exposed and many of the floor boards are original. Architecturally the house, in spite of the alterations, is an important example of one of Wilton's earliest house forms.</p>	
SIGNIFICANCE	18. ARCHITECT	BUILDER
	<p>19. HISTORICAL OR ARCHITECTURAL IMPORTANCE</p> <p>The original owner and date of construction of what appears to be an early cape was not determined, but the house dates to at least 1800, and may well have been built during the last quarter of the 18th century. Early ownership is unclear, but on the 1858 Clark map the occupant is listed as a Mrs. D. Coole. No Coole is listed in the Wilton land records, and it is assumed that it could be a Coley or a Cole. No record of D. Coley owning the property was located. This century the house was part of the considerable holdings of the Hurlbutt family. Lewis R. Hurlbutt, the successful Norwalk businessman who lived across the street at 475 Danbury Road, owned the house and used it as a rental. It was sold by his estate to David Keiser of 105 Seeley Road, and he too continued to use it as a rental house. Although it has been considerably reworked on the interior, much of the original/early styling survives.</p>	
SOURCES	<p>Wilton Land Records. 1858 Clark map.</p>	
PHOTO	PHOTOGRAPHER	DATE
	Mary E. McCahon	4/89
COMPILED BY	VIEW	NEGATIVE ON FILE
	south	CHC 2:26
	NAME	DATE
	Mary E. McCahon, Arch. Historian	5/89
	ORGANIZATION	
	Wilton Historical Society	
	ADDRESS	
	249 Danbury Rd., Wilton, CT 06897	
20. SUBSEQUENT FIELD EVALUATIONS		
21. THREATS TO BUILDING OR SITE		
<input checked="" type="checkbox"/> None known <input type="checkbox"/> Highways <input type="checkbox"/> Vandalism <input type="checkbox"/> Developers <input type="checkbox"/> Other _____ <input type="checkbox"/> Renewal <input type="checkbox"/> Private <input type="checkbox"/> Deterioration <input type="checkbox"/> Zoning <input type="checkbox"/> Explosion _____		

