

See Notes

PLANNING & ZONING
COMMISSION
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TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

RESOLUTION #0511-9P
May 9, 2011

WHEREAS, the Wilton Planning and Zoning Commission has received a Special Permit application (**SP#361**) from Dominick Polito for approval to allow one (1) professional office for non-resident occupants (lower floor level) and for three (3) residential apartments (first and second level) within Building #1 and to allow professional offices for non-resident occupants and no residential apartments within Building #2, for property located at 490 Danbury Road; in an R-2A (Single Family Residence District), Assessor's Map#35, Lot #50, and 3.753 acres; owned by ROPO, LLC and shown on the plans entitled:

Zoning Location Survey- Prepared for ROPO, LLC

Prepared by Roger A. Stalker, land surveyor, dated November 21, 2005, last revised July 18, 2007, scale: 1"=40', sheet#1 of 1.

Topographic Location Survey- Prepared for ROPO, LLC

Prepared by Roger A. Stalker, land surveyor, dated November 21, 2006, last revised May 21, 2010, scale: 1"=40', sheet#1 of 1.

Site Plan Special Permit- Prepared for ROPO, LLC

Prepared by Thomas S. Quinn, engineer, dated April 27, 2010, revised January 18, 2011, scale: 1"=40', sheet#SP-1.

Site Plan Special Permit- Prepared for ROPO, LLC

Prepared by Thomas S. Quinn, engineer, dated April 27, 2010, last revised January 18, 2011, scale: 1"=20', sheet#SP-1A.

Landscape & Lighting Plan- Prepared for ROPO NINE

Prepared by Katherine E. Throckmorton, landscape architect, dated April 19, 2010, scale: 1"=20', sheet#LP-1.

Landscape & Lighting Plan- Prepared for ROPO NINE

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Prepared by Katherine E. Throckmorton, landscape architect, dated April 19, 2010, revised June 24, 2010, scale: 1"=20', sheet#LP-1A.

Foot Candle Plan – Average Foot Candle = 1.75- Prepared for 490 Danbury Road
Prepared by Hubbell Lighting Inc., lighting company, dated April 27, 2010, scale: 1"=30', sheet # 1R.

Foot Candle Plan- Average Foot Candle = 2.50- Prepared for 490 Danbury Road
Prepared by Hubbell Lighting Inc., lighting company, dated April 15, 2010, scale: 1"=30', sheet # 2.

Floor Plans "Building 1"- Main Level Floor Plan- Prepared for 490 Danbury Road
Prepared by Polito Builders, builders, dated May 26, 2010, scale: 1/4"=1'-0", sheet # 1 of 3.

Floor Plans "Building 1"- Upper Level Floor Plan- Prepared for 490 Danbury Road
Prepared by Polito Builders, builders, dated May 26, 2010, scale: 1/4"=1'-0", sheet # 2 of 3.

Floor Plans "Building 1"- Lower Level Floor Plan- Prepared for 490 Danbury Road
Prepared by Polito Builders, builders, dated May 26, 2010, scale: 1/4"=1'-0", sheet # 3 of 3.

Floor Plans "Building 2"- First and Second Floor Plan- Prepared for 490 Danbury Road
Prepared by Polito Builders, builders, dated May 26, 2010, revised January 17, 2011, scale: 1/4"=1'-0", sheet # 1 of 2.

Floor Plans "Building 2"- Office Floor Plan- Prepared for 490 Danbury Road
Prepared by Polito Builders, builders, dated May 26, 2010, revised January 17, 2011, scale: 1/4"=1'-0", sheet # 2 of 2.

WHEREAS, the Wilton Planning and Zoning Commission has conducted a public hearing on April 11, 2011 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

WHEREAS, the Wilton Planning and Zoning Commission has determined that the application is in substantial compliance with the Wilton Zoning Regulations;

NOW THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** Special Permit #361 for approval to allow one (1) professional office for non-resident occupants (lower floor level) and for three (3) residential apartments (first and second level) within Building #1 and to allow professional offices for non-resident occupants and no residential apartments within Building #2, effective May 12, 2011 subject to the following conditions:

1. This Resolution does not replace requirements for the applicant to obtain any other permits or

licenses required by law or regulation by the Town of Wilton, such as, but not limited to: Zoning Permit, Sign Permit, Building Permit, Certificate of Zoning Compliance; or from the State of Connecticut or the Government of the United States. Obtaining such permits or licenses is the responsibility of the applicant.

2. In accordance with Section 8-3.(i) of the Connecticut General Statutes, all work or physical improvements required and/or authorized by the approved Site Plan shall be completed within five years of the effective date of this resolution. This five-year period shall expire on May 12, 2016.
3. The Planning and Zoning Commission approves the site plan layout represented in the plan entitled: Site Plan Special Permit Prepared for ROPO, LLC, Prepared by Thomas S. Quinn, engineer, dated April 27, 2010, last revised January 18, 2011, scale: 1"=20', sheet#SP-1A.
4. The Planning and Zoning Commission approves the lighting shown on the plan entitled: Foot Candle Plan – Average Foot Candle = 1.75 Prepared for 490 Danbury Road, Prepared by Hubbell Lighting Inc., lighting company, dated April 27, 2010, scale: 1"=30', sheet # 1R.
5. The Planning and Zoning Commission approves the waiver of one off-street loading space.
6. A bond estimate for site work shall be provided by the applicant to the Town Planner, which shall include, but not be limited to sedimentation and erosion controls, grading, curbing, lighting, drainage, paving, tree protection, landscaping, seeding, and 10% contingency. The applicant shall furnish to the Town a bond with proper surety, in form and amount satisfactory to the Commission's land use counsel and Wilton's Town Planner, prior to the issuance of any zoning permit.
7. The applicant shall revise the site plan to include a fence adjacent to the retaining wall located on the southern side of the residence, known at building #1 prior to the issuance of a Zoning Permit.
8. In accordance with submitted plans, the driveway shall be graded and widened as shown on the approved site plan.
9. With the exception of safety lighting, all other outside lighting shall be extinguished by 11:00 p.m.
10. All existing trees on the site are to be preserved or relocated as shown on the approved site plan.

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11. The wheelchair accessible parking space shall be designed so as to comply with the Connecticut State Building Code and shall be fully operational prior to the issuance of a certificate of zoning compliance.
12. Mechanical equipment and refuse containers shall be screened from view on all sides prior to the issuance of a zoning certificate of compliance.
13. The office and residential areas of the structure shall not exceed the square footages shown on the approved layout plans unless otherwise approved by the Planning and Zoning Commission.
14. The professional offices and residence apartments shall comply with all requirements of Section 29-5.C.6. regarding signage and regarding the prohibition of outside storage or exterior display.
15. Three (3) completed revised sets, (collated and bound) shall be submitted to the Commission's office for endorsement as "Final Approved Plan" by the Town Planner. Said plans shall include all revisions noted above and shall bear an ORIGINAL signature, seal and license number of the professional responsible for preparing each plan or portion of it. Said plans shall include the following notes:
- a. "According to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Site Development Plan shall be completed within five years after the approval of the plan. Said five-year period shall expire on May 12, 2016."
 - b. "For conditions of approval for Special Permit #361, see **Resolution #0511-9P**."

- END RESOLUTION -