

July 19, 2021

**VIA E-MAIL & HAND DELIVERY**

Michael Wrinn  
Planning and Zoning Department  
Town of Wilton  
Town Annex  
238 Danbury Road  
Wilton, CT 06897  
[Michael.Wrinn@WILTONCT.ORG](mailto:Michael.Wrinn@WILTONCT.ORG)

**Re: Applications to Amend the Wilton Zoning Regulations, Change of Zone,  
Site Plan and Special Permit Approval  
Address: 141 Danbury Road, Wilton, Connecticut  
Applicant: FDSPIN 141 DR LLC**

Dear Mr. Wrinn:

Our firm represents the Applicant, the owner of the property located at 141 Danbury Road, Wilton Connecticut (the "Property"). The Property is approximately 4.28+/- acres and is located on the westerly side of Danbury Road. It is designated as Tax Lot 2 on Map 70 in a DE-5 Design Enterprise District. The Property is currently improved with a warehouse style office building and a large surface parking lot previously used by Melissa & Doug, Inc.

The Applicant proposes removing the existing warehouse-style structure and replacing it with a new multi-family residential building, robust landscaping and other site improvements. The building will be home to 173 apartments, 18 of which will be designated as Affordable Housing Units. As you know, prior to this submission, the Applicant met with the Architectural Review Board and the Planning and Zoning Commission on multiple occasions. Their collective comments have been incorporated in the revised design.

To facilitate the proposed redevelopment, Applications for Text Amendment, Change of Zone, Site Plan and Special Permit Approval are included herein. An application was previously filed with the Inland Wetlands Commission under separate cover.

In furtherance of the proposed applications, please find enclosed the following materials:

- 1 Letter of Authority from the Applicant, authorizing the filing of the enclosed Land Use Applications;
- 1 check for \$460.00, representing the Application Fee for the Application to Amend the Wilton Zoning Regulations;
- 1 check in the amount of \$460.00, representing the Change of Zone Application Fee;

- 1 check in the amount of \$9,110.00, representing the Special Permit & Site Plan Application Fee;
- 1 copy of an Application to Amend the Wilton Zoning Regulations, including:
  - A copy of the proposed amendment to the Wilton Zoning Regulations, prepared by Redniss and Mead, dated July 15, 2021, entitled “Proposed Text Amendments, FDSPIN 141 DR LLC, July 15, 2021;”
  - A narrative describing the proposed amendment to the Wilton Zoning Regulations, prepared by Redniss and Mead, dated July 15, 2021, entitled “Proposed Amendment of the DE-5 Regulations (and other related sections as noted);”
  - An analysis of the applicability of the proposed amendment to the Wilton Zoning Regulations prepared by Redniss and Mead, dated July 15, 2021, entitled “Proposed DE-5R (Overlay Applicability Analysis),” with associated aerial exhibits;
- 1 copy of a Change of Zone Application, including:
  - 1 reduced-size copy of a map depicting the proposed Zone Change, prepared by D’Andrea Surveying & Engineering, PC, dated June 17, 2021, entitled “Proposed Revision of Zoning Area at 141 Danbury Road, Wilton, Connecticut;” and
  - A metes & bounds description of the area proposed to be rezoned to the DE-5R overlay, entitled “Zone Change – Area Description, Land to be changed from ‘DE-5’ to ‘DE-5R;”
- 1 copy of a Site Development Plan Application, including:
  - A Project Background & Statement of Compliance with Site Plan Approval Standards; and
  - Form B – Zoning Data;
- 1 copy of a Special Permit Application, including:
  - Schedule A: Statement of Compliance with Special Permit Standards of Approval; and
  - Schedule B: Environmental Impact Statement;
- 1 full-size copy of a Survey depicting the Property prepared by D’Andrea Surveying & Engineering, P.C., dated April 22, 2021, entitled “Topographic Survey Depicting 141 Danbury Road in Wilton, Connecticut, Prepared for FDSPIN 141 DR LLC.
- 1 full-size copy of a Zoning Location Survey prepared by D’Andrea Surveying & Engineering, P.C., dated July 19, 2021, entitled “Zoning Location Survey Depicting 141 Danbury Road, Wilton, Connecticut;”
- 1 full-size copy of Architectural Plans prepared by Lessard Design, dated July 19, 2021, entitled:
  - “A.01 – Cover;”
  - “A.02 – Illustrative Site and Roof Plan;”

- “A.03 – Ground Floor Plan (GR/G1);”
  - “A.04 – Residential Floor Plan (R1);”
  - “A.05 – Residential Floor Plan (R2);”
  - “A.06 – Residential Floor Plan (R3);”
  - “A.07 – Residential Floor Plan (R4);”
  - “A.08 – Loft Floor Plan;”
  - “A.09 – Building Sections;”
  - “A.10 – Building Elevation;”
  - “A.11 – Building Elevation;”
  - “A.11 – Building Elevation;”
  - “A.12 – Building Elevation;”
  - “A.13 – Building Elevation;”
  - “A.14 – Building Elevation;”
  - “A.15 – Building Elevation;”
  - “A.16 – Material Board;” and
  - “A.17 – Building Signage.”
- 1 full-size copy of Landscape Plans prepared by Environmental Land Solutions, revised July 15, 2021, entitled:
  - “LP-1 – Landscape and Lighting Plan;” and
  - “LP-2 – Landscape and Lighting Details;”
- 1 full-size copy of Engineering Plans prepared by Tighe & Bond, revised July 15, 2021, entitled:
  - “C-001 – Site Index, Abbreviations, Notes and Legend;”
  - “C-101 – Site Layout Plan,” revised to July 19, 2021;
  - “C-102 – Fire Truck Turning Plan;”
  - “C-201 – Grading Plan;”
  - “C-301 – Stormwater Management Plan;”
  - “C-401 – Utility Plan;”
  - “C-501 – Soil Erosion and Sediment Control Plan Initial Phase;”
  - “C-502 – Soil Erosion and Sediment Control Plan Final Phase;”
  - “C-503 – Soil Erosion and Sediment Control Details;”
  - “C-504 – Soil Erosion and Sediment Control Details;”
  - “C-601 – Details – 1;”
  - “C-602 – Details – 2;”
  - “C-603 – Details – 3;”
  - “C-604 – Details – 4;”
  - “C-605 – Details – 5;”
  - “C-606 – Details – 6;”
  - “C-607 – Details – 7;”
  - “C-608 – Details – 8;” and
  - “C-609 – Details – 9;”
- 1 full-size copy of Lighting Plans, prepared by Illuminate, dated July 14, 2021, entitled:
  - “Option 1, SL-1;” and

- “Option 2, SL-2;”
- 1 copy of an Engineering Report prepared by Tighe & Bond, revised July 15, 2021, entitled “Engineering Report, Prepared For: FDSPIN 141 DR, LLC;”
- 1 copy of a Traffic Impact Statement, prepared by Tighe & Bond, dated July 19, 2021, entitled “Traffic Impact Statement, Zoning Regulation Text Amendment, Design Enterprise Residential District (DE-5R);
- 1 copy of a Traffic Impact Statement, prepared by Tighe & Bond, dated July 19, 2021, entitled “Traffic Impact Statement, 141 Danbury Road (US Route 7) Redevelopment, Wilton, Connecticut;”
- 1 copy of a letter prepared by Environmental Land Solutions, revised July 15, 2021, entitled “Inland Wetlands Application -141 Danbury Road, Wilton, CT;”
- 1 List of Project Professionals;
- 1 List of Owners of Property within 500’ of the Subject Property; and
- 1 copy of a Letter of Title and Deed recorded in the Wilton Land Records evidencing the Applicant’s interest in the Property.

Please let me know if you have any questions or require additional materials. We look forward to advice as to when the Planning and Zoning Commission will hold a public hearing on the enclosed applications. Thank you for your time and attention regarding this matter.

Sincerely,

*Lisa L. Feinberg*

Lisa L. Feinberg

Enclosures.

cc: D. White [Daphne.White@WILTONCT.ORG](mailto:Daphne.White@WILTONCT.ORG)  
L. Russo [Lorraine.Russo@WILTONCT.ORG](mailto:Lorraine.Russo@WILTONCT.ORG)  
R. Grosso [Rocco.Grosso@WILTONCT.ORG](mailto:Rocco.Grosso@WILTONCT.ORG)  
F. Smerriglio [Frank.Smerriglio@WILTONCT.ORG](mailto:Frank.Smerriglio@WILTONCT.ORG)  
Bob Root [Bob.Root@WILTONCT.ORG](mailto:Bob.Root@WILTONCT.ORG)  
Development Team



July 1, 2021

Mr. Michael Wrinn  
Town Planner  
Planning and Zoning Department  
Town of Wilton  
Town Annex  
238 Danbury Road  
Wilton, CT 06897


**RE: 141 Danbury Road, Wilton, CT (the "Property")  
Letter of Authority**

Dear Mr. Wrinn:

FDSPIN 141 DR LLC is the owner of the property located at 141 Danbury Road, Wilton, CT (the "Property"), I hereby authorize the attorneys of Carmody Torrance Sandak & Hennessey, LLP, with offices located at 707 Summer Street, Stamford, Connecticut 06901, to act as agent for FDSPIN 141 DR LLC in connection with the enclosed land use applications. Thank you for your acknowledgement of said authority.

Sincerely,

FDSPIN 141 DR LLC

By:   
Samuel B. Fuller, Co-Manager  
Duly Authorized

July 19, 2021

Michael Wrinn  
Planning and Zoning Department  
Town of Wilton  
Town Annex  
238 Danbury Road  
Wilton, CT 06897

**RE: 141 Danbury Road, Wilton, CT (the "Property")  
Letter of Title**

Dear Mr. Wrinn:

Based upon the quit-claim deed found in Volume 2535 at page 658 of the Wilton Land Records, a copy of which is attached hereto, and the enclosed letter of authority from the Owner, title of property appears to be vested in FDSPIN 141 DR LLC.

Sincerely,

*Lisa L. Feinberg*

Lisa L. Feinberg

**WILTON PLANNING AND  
ZONING COMMISSION**

**SITE DEVELOPMENT  
PLAN**

**SDP#**

**SITE DEVELOPMENT PLAN:** Cite specific section(s) of the Zoning Regulations and provide a detailed description of the proposed development. Attach additional sheets as required.

Section 29 - 11 to permit the redevelopment of 141 Danbury Road for multi-family residential use.

See enclosed Application Narrative.

FDSPIN 141 DR LLC			c/o Agent: Carmody Law, 707 Summer St, Stamford, CT 06901		
APPLICANT'S NAME			ADDRESS		
FDSPIN 141 DR LLC			c/o Agent: Carmody Law, 707 Summer St, Stamford, CT 06901		
OWNER'S NAME			ADDRESS		
141 Danbury Road			DE-5(Existing) DE-5R(Proposed)		
PROPERTY LOCATION			ZONING DISTRICT		
2535	658	70	2	4.28+/-	
WLR	VOLUME	PAGE	TAX MAP #	LOT #	ACREAGE

**THE FOLLOWING MATERIALS SHALL BE ATTACHED:**

- \* Fifteen (15) complete **COLLATED/FOLDED** sets are required.
- \* All plans shall be equal in sheet size, collated into sets (either stapled or clipped), with **maps folded**, not rolled.
- \* All submitted plans and documents shall bear an **original signature, seal, and license number** of the professional responsible for preparing each item.
- ☒ **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.
- ☒ **SITE DEVELOPMENT PLAN** pursuant to Section 29-11 of the Zoning Regulations.
- ☒ **FORM B – ZONING DATA.**
- ☒ **LIST OF PROJECT PROFESSIONALS** including name, firm, address and telephone.
- ☒ **LETTER OF TITLE** certifying owner of record as of date of the application.
- ☒ **PROOF OF APPLICANT'S LEGAL INTEREST** in property.
- ☒ **ANY OTHER PLAN OR DOCUMENT** as required by Zoning Regulations.
- ☒ **ELECTRONIC EMAILED SUBMISSION** of all materials (Consolidated into 1- 2 PDFs Maximum)
- ☒ **\$360 FILING FEE + \$50/Unit or \$50/2000 sq. ft.** 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.

<i>Lisa Feinberg (SHE)</i>	July 19, 2021	lfeinberg@carmodylaw.com	203-252-2677
APPLICANT'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE
See enclosed Letter of Authority	July 19, 2021	lfeinberg@carmodylaw.com	203-252-2677
<i>Lisa Feinberg (SHE)</i>			
OWNER'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE
See enclosed Letter of Authority			

**For Planning and Zoning Department Use Only:**

Mandatory Referrals - Jurisdiction/Agency		
Village District Design Advisory Committee (VDDAC):	Yes	No
Architectural Review Board (ARB):	Yes	No
Western Connecticut Council of Governments (WestCOG):	Yes	No
South Norwalk Electric and Water Company (SNEW) Designated Public Watershed:	Yes	No
First Taxing District Water Department Designated Public Watershed:	Yes	No
State-Designated Aquifer Protection Area:	Yes	No
Adjoining Community Notification:	Yes	No



## PROJECT BACKGROUND & STATEMENT OF COMPLIANCE WITH SITE PLAN APPROVAL STANDARDS

### I. BACKGROUND

FDSPIN 141 DR LLC (the “**Applicant**”)<sup>1</sup> seeks Site Plan and Special permit Approval from the Planning & Zoning Commission (the “**Commission**”) in connection with the redevelopment of property located at 141 Danbury Road in Wilton (the “**Property**”). The Property consists of approximately 4.28+/- acres on the westerly side of Danbury Road and is designated as Tax Lot 2 on Map 70 in the DE-5 Design Enterprise District.

The Property, which is adjacent to the Norwalk River, is currently improved with a 47,000+/- sf warehouse style office building and a large surface parking lot. The building was formerly occupied by Melissa & Doug, Inc.; which has relocated to a different facility leaving the current building vacant. The proposed redevelopment would remove the existing structure and replace it with a new multi-family residential building with robust landscaping and associated site improvements.

### II. PROPOSAL

As noted in the 2019 Plan of Conservation and Development (the “**POCD**”), the “relatively high price of housing coupled with an available housing stock of detached single-family homes has more recently contributed to lower in-migration of younger working-age people and has increased the out-migration of empty-nesters and retirees.”<sup>2</sup> The trends of increased housing prices and decreased housing supply have only been exacerbated during the COVID-19 Pandemic. At the same time, “the community has increasingly expressed interest in increasing housing type variety and price points in design and location appropriate ways” to increase the Town’s overall housing stock and to attract and meet “the needs of occupants at different life and employment stages.”<sup>3</sup> The current proposal, which includes a Text Change creating a new DE-5R overlay zone permitting multi-family housing, is responsive to these trends and the vision identified in the POCD. The Applicant also proposes rezoning the Property to the newly created DE-5R overlay zone.

The proposed multi-family residential building will be home to 173 apartments consisting of one-bedroom (37), two-bedroom (122), and three-bedroom (14) units. Pursuant to the proposed DE-5R overlay zoning regulation, ten percent (10%) of these units would be affordable to families earning less than 80% of Area Median Income. This equates to 18 Affordable Housing Units, as defined by the Wilton Zoning Regulations.<sup>4</sup> Many of these units also feature lofts and private outdoor terraces. The building has been thoughtfully designed and positioned on the site

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<sup>1</sup> FDSPIN 141 LLC is the new owner of the Property.

<sup>2</sup> POCD pg. 8.

<sup>3</sup> Id.

<sup>4</sup> Pursuant to Section 29-5.B.10.e, fractional units must be rounded up to the next whole number.

to highlight its proximity to the Norwalk River. The types of materials and color palette are compatible with the environment, and the building mass and undulation enhance river views. It incorporates a variety of high-quality materials including brick, architectural stone and fiber cement siding, all meticulously placed to articulate the facade. The proposed lofts and accompanying private terraces provide additional punctuation of the roof line, and the natural change in grade from east to west allows for the parking to be discretely hidden below the building.

The ground floor will include approximately 313 parking spaces (182 covered and 131 uncovered) as well as utility/trash rooms and building access points. 12 electric vehicle parking space ("EV Spaces") are proposed. All uncovered parking will be screened from view by landscaping. The first floor will include a 4,440+/- square foot lobby and amenity space which leads directly to an expansive outdoor courtyard featuring a pool. Notably, following feedback from the Architectural Review Board and the Commission during pre-application review, the western side of the building has been opened to allow for additional light and air within the courtyard. The remainder of this level, as well as the levels above will be comprised of residential units. In the northwest corner of the fourth floor, the building will include a 1,868+/- square foot roof terrace with stunning views of the Norwalk River as well as a 600+/- square foot club room. The lofts and private terraces will be located above this level. For further details about the building, please refer to the architectural drawings prepared by Lessard Design.

Again, following feedback from the Commission, the physical connection between the park and the building has been enhanced. This passive, recreational space will consist of native trees, shrubs and perennials. For further details about the landscaping, please refer to the "Landscape & Lighting Plan, LP-1" prepared by Environmental Land Solutions.

To facilitate the proposed redevelopment, Applications for Text Amendment, Change of Zone, Site Plan, Special Permit Approval and Inland Wetlands Commission review have been submitted.

### III. STANDARD OF REVIEW

The proposal is in conformance with the approval standards set forth in Sec. 29-11.A.9 of the Zoning Regulations of the Town of Wilton as follows:

In reviewing and acting upon an application for Site Plan approval, the Commission shall take into consideration the health, safety and welfare of the public in general, the immediate neighborhood in particular, and the following general factors:

- a. The general conformity of the Site Plan with the intent of the Town's Plan of Development; however, the Plan of Development shall not take precedence over specific provisions of these Regulations.



*As recognized in the POCD, the combined impact of high housing prices and a housing stock comprised primarily of single-family homes has depressed the number of working age people moving to Town.<sup>5</sup> Notwithstanding these trends, members of the Wilton community have consistently expressed an interest in expanding “housing type variety and price points” to meet the needs of current and future residents at different life and employment stages.<sup>6</sup> Specifically, about 84% of respondents to a planning survey believe that the Town should try to attract more young professionals.<sup>7</sup>*

*In particular, the POCD targets Danbury Road, south of Wolfpit Road, as an appropriate location for multifamily housing. With 173 units, 18 of which will be affordable, the proposed multifamily building meets these important community goals by providing dwelling units attractive to young professionals and empty nesters alike. As a result of the robust landscaping plan, the proposal also furthers the community goal of protecting the Town’s natural resources.<sup>8</sup>*

- b. The arrangement of buildings, structures and uses on the site.

*The new building has been located in generally the same place as the existing structure in order to maintain a consistent street wall and an appropriate setback from Danbury Road. All parking will be shielded from view by dense landscaping and the building itself.*

*The building was also pulled back approximately 100’ from the river to allow for a substantial green space along the riverfront. This space will be programmed for passive enjoyment by the residents and provide a natural habitat for small animals too. Importantly, the western side of the building has been opened to provide for an enhanced connection between the riverfront green space and the internal building courtyard.*

- c. The adequacy of design of the interior vehicular circulation system, to provide safe and convenient access to all structures, uses, parking spaces and loading spaces.

*Site circulation has been efficiently designed to ensure safe and convenient access. Vehicles will enter the site from Danbury Road and then have the option of proceeding along the northern or southern boundary. Both boundaries include surface parking which will be available for both residents and guests.*

*Because much of the site is in the Flood Zone, the building will be raised with parking beneath it. Thus, vehicles may circulate under the building and exit on the*

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<sup>5</sup> See POCD, pg. 8.

<sup>6</sup> Id, at pg. 11.

<sup>7</sup> Id. at pg. 48.

<sup>8</sup> Id. at pg. 31.

*opposite side. Alternatively, vehicles also have the option of parking beneath the building with multiple access points for reaching the building interior. Loading will primarily take place on the southwest corner of the site in the designated loading area. This area is conveniently located proximate to an elevator for easy access to the building interior.*

- d. Provision for safe pedestrian movement within and adjacent to the site.

*In addition to the multiple access points within the garage, pedestrians may also enter the building from the main entry fronting on Danbury Road or the stairway from the riverfront park leading to the interior courtyard. Both of these access points are clearly marked with crosswalks and pedestrian refuge areas.*

*A pedestrian path is also proposed along the riverfront for residents to enjoy, and new sidewalks are contemplated along the Danbury Road frontage. This latter improvement is subject to CT Department of Transportation approval and will ultimately require similar improvements to the north and south of the Property by other property owners.*

- e. The adequacy of access for fire, police and ambulance services.

*To ensure appropriate access for emergency services, an emergency access “road” is proposed within the riverfront park creating a loop around the entire building perimeter. This “road” would be an unobstructed portion of the lawn to ensure it easily blends with the natural environment without hindering access in the event of an emergency. All curb cuts and drive aisles are designed to conform with the Wilton Zoning Regulations and ensure adequate width. Please refer to the “Fire Truck Turning Plan, C-102” prepared by Tighe & Bond for further details.*

- f. The adequacy of design of the storm drainage system to accommodate any increase in storm water runoff and to minimize soil erosion and sedimentation.

*Today, the storm water sheet flows over the surface parking lot directly into the Norwalk River. Following redevelopment, storm drainage will be properly treated and soil erosion and sedimentation will be appropriately mitigated. The storm water design employees Best Management Practices including:*

- Catch Basins and yard drains fitted with 24” sumps to collect sediment and prevent discharge of oil and other pollutants into the storm drainage system;*
- Hydrodynamic Separators to prevent the transport of oils and sediment further downstream, including Contech CDS units sized in accordance with the 2004 CTDEEP Stormwater Quality Manual; and*



- *Concrete chambers surrounded by stone and filter fabric designed to attenuate peak flows, serve as a primary treatment practice and promote groundwater discharge.*

*Porous pavers will also be utilized on all parking surfaces within 200' of the Norwalk River, further facilitating the reduction of runoff by infiltrating rainwater and melting snow. For further details regarding storm water treatment and sediment and erosion controls, please refer to the submitted Engineering Report and civil engineering plans prepared by Tighe & Bond dated July 15, 2021.*

- g. The location, intensity and direction of outdoor lighting and the proposed times for its use.

*Lighting will be located along the building exterior, outdoor parking areas and within the landscaped park. All lighting will be full cutoff fixtures and comply with dark sky guidelines. Two photometric plans have been submitted for the Commission's consideration. The first plan provides a 2.5 foot candle minimum average (SL-1) and the other provides a 1 foot candle minimum average (SL-2).*

- h. The size, location and type of any outdoor storage facilities, including dumpsters.

*No outdoor storage facilities are proposed. All refuse will be collected and stored within the garage.*

- i. The size, location and type of signs, and their appropriateness to the neighborhood.

*The Applicant is proposing 4 signs: one canopy sign at the main entrance, one wall sign adjacent to the main entrance, one wall sign along the rock wall frontage and one free-standing sign in the entrance median. All signage will be metal, and soft up-lighting will be used to illuminate the latter two signs. Given the Property's location on a main arterial road, the Applicant submits that this is the minimum signage necessary to alert travelers to the building location and direct visitors to the main entrance.*

- j. The adequacy of the landscaping treatment, including any buffers and other screening.

*The Applicant has chosen to highlight the Norwalk River with the proposed site plan. A landscaped oasis is proposed along the western property boundary which will allow for passive recreation and respite. This private, landscaped park features a variety of plants with seasonal interest and 95% of the plantings proposed will be native plants to the eastern United States. All of the landscape plants have been chosen to be compatible to local conditions and provide a habitat for a wide range of pollinators.*

*As proposed, dense landscaping buffers frame the entire Property. A 48' green buffer shields the small surface parking area along the front of the Property from views traveling south, with approximately 20' of this buffer providing plantings to screen this parking along the property frontage. In the southeast corner there is approximately 120' of planted evergreen buffer and lawn between the vehicular drive and Danbury Road ROW providing screening for pedestrians and vehicles traveling north. The remainder of the surface parking along the northern and southern site boundaries is also screened from neighboring properties by a 10' landscape buffer.*

*For further details related to the landscaping, please refer to the "Landscape & Lighting Plan, LP-1" prepared by Environmental Land Solutions.*

## WILTON PLANNING AND ZONING COMMISSION

## FORM B - ZONING DATA

Include the following data on the required Site Development Plan, as well.

141 Danbury Road

4.28

PROPERTY ADDRESS

LOT ACREAGE

DE-5 (Proposed DE-5R)

373.41'

ZONING DISTRICT

LOT FRONTAGE

	PER ZONING REGS (MAX OR MIN ALLOWED)	EXISTING	PROPOSED	TOTAL
GROSS FLOOR AREA [SF]	N/A*	47,000+/-sf	215,462 sf	215,462 sf
BUILDING FOOTPRINT [SF]	40%*	18.09%	36.32%	36.32%
BUILDING COVERAGE [SF/%] (round up)	40%*	18.09%	36.32%	36.32%
BUILDING HEIGHT [FT - Story]	55'**	30'2 stories	55'**	55'**
FLOOR AREA RATIO (F.A.R.)	N/A*	N/A	N/A	N/A
PARKING SPACES (round up)	1.25 spaces/1Br; 1.75 spaces/2BR; 2.25 spaces/3BR*	229	313	313
LOADING SPACES	N/A	0	1	1
SITE COVERAGE [SF/%]	75%*	63.28%	67.80%	67.80%

\*Proposed DE-5R Standards \*\*Additional 10' permitted to accommodate an additional One-Half Story.

## OFF-STREET PARKING AND LOADING CALCULATIONS

Please provide the specific calculation used to determine the minimum required off-street parking and loading spaces pursuant to the Zoning Regulations.

PARKING CALCULATION (Use separate page, if necessary)

See Zoning Location Survey

LOADING CALCULATION (Use separate page, if necessary)

N/A

PLAN OF CONSERVATION AND DEVELOPMENT

Please indicate on separate page how this proposal complies with the Plan of Conservation and Development.

See Schedule B.

THE UNDERSIGNED WARRANTS the truth of all statements contained herein:

*Lisa. L. Feinberg*

7/19/2021

APPLICANT'S SIGNATURE

DATE

See Letters of Authority



**WILTON PLANNING AND  
ZONING COMMISSION**

**SPECIAL PERMIT  
APPLICATION**

**SP#**

**SPECIAL PERMIT DESCRIPTION:** Cite specific section(s) of the Zoning Regulations and provide a detailed description of the proposed development. Attach additional sheets as required.

Section 29-10 to permit the redevelopment of 141 Danbury Road for multi-family residential use.

See enclosed Application Narrative.

See enclosed Letter of Authority

FDSPIN 141 DR LLC		c/o Agent: Carmody Law, 707 Summer St, Stamford, CT 06901			
<b>APPLICANT'S NAME</b>		<b>ADDRESS</b>			
FDSPIN 141 DR LLC		c/o Agent: Carmody Law, 707 Summer St, Stamford, CT 06901			
<b>OWNER'S NAME</b>		<b>ADDRESS</b>			
141 Danbury Road		DE-5(Existing) DE-5R (Proposed)			
<b>PROPERTY LOCATION</b>		<b>ZONING DISTRICT</b>			
	2535	658	70	2	4.28+/-
<b>WLR</b>	<b>VOLUME</b>	<b>PAGE</b>	<b>TAX MAP #</b>	<b>LOT #</b>	<b>ACREAGE</b>

**THE FOLLOWING MATERIALS SHALL BE ATTACHED:**

- \* Fifteen (15) complete **COLLATED/FOLDED** sets are required.
- \* All plans shall be equal in sheet size, collated into sets (either stapled or clipped), with **maps folded**, not rolled.
- \* All submitted plans and documents shall bear an **original signature, seal, and license number** of the professional responsible for preparing each item.

☒ **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

☒ **SITE DEVELOPMENT PLAN** pursuant to Section 29-11 of the Zoning Regulations

☒ **FORM B – ZONING DATA**

☒ **LIST OF PROJECT PROFESSIONALS** including name, firm, address and telephone

☒ **LETTER OF TITLE** certifying owner of record as of date of the application

☒ **PROOF OF APPLICANT'S LEGAL INTEREST** in property

☒ **LIST OF OWNERS WITHIN 500'** of the subject property sorted by Tax Map and Lot #

☒ **ENVELOPES**, addressed to each property owner within 500' (see "Envelopes Instructions" online)

☒ **TWO #10 (4"x9.5") PLAIN ENVELOPES** addressed to the applicant (No Return Address)

☒ **ANY OTHER PLAN OR DOCUMENT** as required by Zoning Regulations

☒ **ONE COPY OF THE DEED**

☒ **ELECTRONIC EMAILED SUBMISSION** of all materials, **consolidated into 1 or 2 PDFs maximum**

☒ **\$460 FILING FEE + \$50/Unit or \$50/2000 sq. ft. (Accessory Apartment - \$260)** payable to: Town of Wilton

N/A **IS THE SUBJECT PROPERTY LOCATED WITHIN THE WATERSHED BOUNDARY?** YES NO

☒ **IS THE SUBJECT PROPERTY WITHIN THE FLOOD ZONE?** YES NO

**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.

<i>Lisa Feinberg (AK)</i>	July 19, 2021	lfeinberg@carmodylaw.com	203-252-2677
APPLICANT'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE
See enclosed Letter of Authority			
<i>Lisa Feinberg (AK)</i>	July 19, 2021	lfeinberg@carmodylaw.com	203-252-2677
OWNER'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE
See enclosed Letter of Authority			

**For Planning and Zoning Department Use Only:**

Mandatory Referrals - Jurisdiction/Agency		
Village District Design Advisory Committee (VDDAC):	Yes	No
Architectural Review Board (ARB):	Yes	No
Western Connecticut Council of Governments (WestCOG):	Yes	No
South Norwalk Electric and Water Company (SNEW) Designated Public Watershed:	Yes	No
First Taxing District Water Department Designated Public Watershed:	Yes	No
State-Designated Aquifer Protection Area:	Yes	No
Adjoining Community Notification:	Yes	No

See enclosed Letter of Authority



## SCHEDULE A: STATEMENT OF COMPLIANCE WITH SPECIAL PERMIT STANDARDS FOR APPROVAL

### I. Background and Proposal

FDSPIN 141 DR LLC (the “Applicant”) seeks Site Plan and Special Permit Approval from the Planning & Zoning Commission (the “Commission”) in connection with the redevelopment of property located at 141 Danbury Road in Wilton (the “Property”). The Property consists of approximately 4.28+/- acres on the westerly side of Danbury Road and is designated as Tax Lot 2 on Map 70 in the DE-5 Design Enterprise District.

The Property, which is adjacent to the Norwalk River, is currently improved with a 47,000+/- sf warehouse style office building and a large surface parking lot. The building was formerly occupied by Melissa & Doug, Inc. which has relocated to a different facility leaving the current building vacant. The proposed redevelopment would remove the existing structure and replace it with a new multi-family residential building with robust landscaping and associated site improvements.

The proposed multi-family residential building will be home to 173 apartments consisting of one-bedroom (37), two-bedroom (122), and three-bedroom (14) units. Pursuant to the proposed DE-5R overlay zoning regulation, ten percent (10%) of these units would be affordable to families earning less than 80% of Area Median Income. This equates to 18 Affordable Housing Units, as defined by the Wilton Zoning Regulations.<sup>1</sup> The building has been thoughtfully designed and positioned on the site to highlight its proximity to the Norwalk River. The types of materials and color palette are compatible with the environment, and the building mass and undulation enhance river views. Robust landscaping frames the perimeter of the site including a 100-foot deep riverfront park for the residents to enjoy. This landscaped oasis will replace an asphalt parking lot and feature several overlooks with seating to enjoy the river.

### II. Standards of Review

The proposal is in conformance with the approval standards set forth in sec. 29-10.A.9 of the Zoning Regulations of the Town of Wilton as follows:

Standards for Approval: Unless otherwise specified, a use allowed by Special Permit shall conform to all requirements of the zoning district in which it is proposed to be located and the standards contained herein. The Commission may grant a Special Permit after considering the health, safety and welfare of the public in general, and the immediate neighborhood in particular, as well as the following factors:

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<sup>1</sup> Pursuant to Section 29-5.B.10.e, fractional units must be rounded up to the next whole number.

- a. The location and size of the proposed use; the nature and intensity of the operations associated with the proposed use; the size, shape and character of the site in relation to the proposed use.

*The new building is generally located in the same place as the existing structure to maintain a consistent street wall along and setback from Danbury Road. Proposed setbacks from the Norwalk River along the rear of the Property allow for the conversion of a paved parking area to a landscaped oasis comprised of native plants compatible to local conditions and habitable for a wide range of pollinators. The proposed residential use is also in keeping with neighboring residential communities located along Danbury Road.*

- b. The location, type, size and height of buildings and other structures associated with the proposed use in relation to one another and in relation to neighborhood development.

*The location of the proposed building strikes a delicate balance of respecting the existing street wall along Danbury Road while allowing for substantial landscaping along the Norwalk River. Thus, the building respects both the natural and built environment. The proposed building is approximately 65' tall. While modestly taller than the 55' currently permitted in the DE-5 Zone, the additional height is necessary to accommodate the lofts. The proposed lofts and terraces located above the 4<sup>th</sup> story are set back at least 11' from the building face along Danbury Road providing a desirable building attribute and additional punctuation of the building roofline. Because of this step back, and because the lofts are only a half-story, the additional height will not impose on the pedestrian view. Building materials, including brick, stone and fiber cement panels and siding have been carefully selected to provide points of interest and enhance the articulation of the façade.*

*It should also be noted that the Applicant has revised the proposed building in response to pre-application feedback received from both the Architectural Review Board and the Commission. Revisions include:*

- Adjusting the massing of the proposed lofts by stepping them back from the main façade and incorporating a “glass box” design to achieve a softened appearance;*
- Integrating variations in the parapets to enhance the visual interest of the roof line;*
- Showcasing varying color palettes and details in the proposed building facades to provide a dynamic architectural design;*
- Opening of the courtyard to showcase the natural features of the Property;*
- Incorporating an exterior stone façade at the entry lobby complimented by an interior amenity spaces with a see-through design that will visually*



*and physically connect the lobby, indoor amenities, outdoor courtyard and landscaped oasis located on the Property.*

- c. The impact of the proposed use on traffic safety and circulation on neighborhood streets; the ability of such streets to adequately accommodate the traffic to be generated by the proposed use.

*The proposed residential use is expected to generate a similar or lower number of vehicular trips than commercial uses currently permitted on the Property. As such, it is anticipated that Danbury Road will be able to adequately accommodate trips generated by residents of the building.*

- d. The existing and future character of the neighborhood in which the use is proposed to be located, and the compatibility of the proposed use with the neighborhood.

*As recognized in the POCD, the combined impact of high housing prices and a housing stock comprised primarily of single-family homes has depressed the number of working age people moving to Town.<sup>2</sup> Notwithstanding these trends, members of the Wilton community have consistently expressed an interest in expanding “housing type variety and price points” to meet the needs of current and future residents at different life and employment stages.<sup>3</sup> Specifically, about 84% of respondents to a planning survey believe that the Town should try to attract more young professionals.<sup>4</sup>*

*In particular, the POCD targets Danbury Road, south of Wolfpit Road, as an appropriate location for multifamily housing. With 173 units, 18 of which will be affordable, the proposed multifamily building meets these important community goals by providing dwelling units attractive to young professionals and empty nesters alike. As a result of the robust landscaping plan, the proposal also furthers the community goal of protecting the Town’s natural resources.<sup>5</sup>*

- e. The impact of the proposed use on the natural characteristics of the site or the surrounding environment.

*The proposal celebrates the natural characteristics of the site and the surrounding environment. The Applicant proposes transforming approximately 25,020+/- sf of paved parking area along the Norwalk River to a private landscaped recreational area. This passive, recreational space will consist of native trees, shrubs and perennials. Much of the existing, mature foliage onsite will also be preserved.*

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<sup>2</sup> See POCD, pg. 8.

<sup>3</sup> Id, at pg. 11.

<sup>4</sup> Id. at pg. 48.

<sup>5</sup> Id. at pg. 31.



*It should also be noted that currently, storm water sheet flows over the surface parking lot directly into the Norwalk River. The Applicant proposes the installation of a modern storm water treatment system that incorporates several Best Management Practices to protect the Norwalk River, such as catch basins, hydrodynamic separators and porous pavers. All of these improvements will significantly improve water quality and the natural environment.*

- f. The adequacy of water, sewer, drainage and other public facilities to accommodate the proposed use.

*The existing public infrastructure will adequately accommodate the proposed development. The Applicant proposes incorporating Best Management Practices into the proposed storm water design, including catch basins, yard drains, hydrodynamic separators and concrete chambers. Porous pavers will also be utilized on all parking surfaces within 200' of the Norwalk River, further facilitating the reduction of runoff by infiltrating rainwater and melting snow. For further details regarding storm water treatment and sediment and erosion controls, please refer to the submitted Engineering Report and civil engineering plans prepared by Tighe & Bond dated July 15, 2021.*

- g. Where the proposed use involves the conversion of a structure designed and built originally for other uses, the adaptability of the structure to the proposed use, particularly in relation to the public health and safety.

*No conversion is proposed.*

## SCHEDULE B: ENVIRONMENTAL IMPACT STATEMENT

All applications for Special Permits shall include information for the purpose of compiling a complete impact assessment. The statement shall address at least the following:

- a. The extent to which the proposed development is compatible with the objectives of the Town's Plan of Development.

*The proposed development will result in several benefits that are compatible with the objectives of the Town's Plan of Development. By providing a multi-family living environment that is attractive to young professionals and empty nesters alike, the proposed development will respond to the twin challenges of high home prices and a housing stock comprised primarily of single-family homes.<sup>1</sup> Specifically, the proposal will increase "housing type variety and price points in design and location appropriate ways" in order to "meet the needs of occupants at different life and employment stages."<sup>2</sup> It should also be noted that 10% of the proposed dwelling units will be designated as affordable to families earning less than 80% of the Area Median Income thereby meeting Wilton's definition of an "Affordable Housing Unit" and addressing Town affordability goals.*

*The proposal is also compatible with environmental and sustainability goals. Specifically, the proposal includes converting approximately 25,020 sf of paved parking area along the Norwalk River to a lush, open space area comprised primarily of native plantings. The proposal also includes a modern Drainage System that incorporates many Best Management Practices that will significantly improve water quality.*

- b. The extent to which any sensitive environmental features on the site may be disturbed and what measures shall be taken to mitigate these impacts. Consideration shall be given to steep slopes, (including erosion control), wetlands, drainage ways and vegetation and any other land feature considered to be significant.

*The Applicant proposes substantial investment within the Regulated Area located on the Property to restore and expand the function of the Norwalk River's riparian buffer, improve water quality and provide wildlife habitat, while at the same time providing recreational space for residents of the Property. Rather than having an adverse environmental impact, the proposal will enhance and celebrate the natural features of the Property.*

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<sup>1</sup> See POCD pg. 8.

<sup>2</sup> Id.

- c. The impact of the proposed development on the water supply, sanitary sewer and storm drainage system of the Town and an indication of improvements that may be necessitated by the project.

*The existing public infrastructure will adequately accommodate the proposed development. The Applicant proposes incorporating Best Management Practices into the proposed storm water design, including catch basins, yard drains, hydrodynamic separators and concrete chambers. Porous pavers will also be utilized on all parking surfaces within 200' of the Norwalk River, further facilitating the reduction of runoff by infiltrating rainwater and melting snow. For further details regarding storm water treatment and sediment and erosion controls, please refer to the submitted Engineering Report and civil engineering plans prepared by Tighe & Bond dated July 15, 2021.*

- d. Analysis of vehicular and pedestrian traffic impact on the street system and proposed methods of handling situations where the street system is found to be inadequate.

*The proposed residential use is expected to generate a similar or lower number of vehicular trips than commercial uses currently permitted on the Property. As such, Danbury Road will be able to adequately accommodate trips generated by residents of the building.*

- e. Statement of how the proposed project will affect various Town services such as police, fire, schools, and recreation.

*The exterior drive aisles are connected on the west by an emergency access drive ensuring emergency vehicles will be able to efficiently and safely access all sides of the building.*

*As recognized in the POCD, the combined impact of high housing prices and a housing stock comprised primarily of single-family homes has depressed the number of working age people moving to Town.<sup>3</sup> Notwithstanding these trends, the proposed development is not anticipated to directly add to the schools due to the unit sizes and target populations. However, it is likely that many of the young professionals in this building will one day move on from the development and purchase larger homes and contribute to the next generation of Wilton residents.*

*In terms of recreation, the proposal includes the creation of a 25,020+/- landscaped recreational area along the Norwalk River, a large internal courtyard as well as a rooftop deck. Collectively, these amenities will provide residents with ample passive recreational space. However, for more active recreation, the Applicant hopes residents will become involved in everything Wilton has to offer.*

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<sup>3</sup> See POCD, pg. 8.



*Thus, no adverse impacts to community resources are anticipated. At the same time, permitting fees and property taxes associated with the proposal will lead to additional resources for the school system and other Town services.*

f. Alternatives to mitigate adverse impacts.

*The proposal is responsive to several of the Town's POCD goals related to increasing housing stock/variety in specific locations, diversifying the population and respecting the environment. By adding 173 new apartments, 18 of which will be Affordable Housing Units, hundreds of new residents will be given an opportunity to enjoy all that Wilton has to offer. By removing the asphalt parking lot that currently lines the Norwalk River and replacing it with a robust private park and a modern drainage system, the natural environment and water quality will be significantly improved. And by responding to preliminary feedback from the Architectural Review Board and Planning & Zoning Commission, the building has been thoughtfully designed to accomplish all of these goals while contributing an attractive development the Town can be proud of. Revisions made in response to pre-application review feedback include:*

- Adjusting the massing of the proposed lofts by stepping them back from the main façade and incorporating a “glass box” design to achieve a softened appearance;*
- Integrating variations in the parapets to enhance the visual interest of the roof line;*
- Showcasing varying color palettes and details in the proposed building facades to provide a dynamic architectural design;*
- Opening of the courtyard to showcase the natural features of the Property;*
- Incorporating an exterior stone façade at the entry lobby complimented by an interior amenity spaces with a see-through design that will visually and physically connect the lobby, indoor amenities, outdoor courtyard and landscaped oasis located on the Property.*

*Thus, the Applicant submits that no adverse impacts are anticipated from the proposed development.*

The wetland adjacent to the river is a seasonally flooded palustrine wetland. Flagged wetland soils were identified as Rippowam fine sandy loam and Fluvaquent-Udifuvents complex, poorly to well drained alluvial soils. Please refer to the soil report for additional information. The Norwalk River is a perennial watercourse that has been channelized but includes riffle-pool morphology.

The northwest shoreline of the site is defined by riprap, poured and broken pieces of concrete with two sycamore trees on the shoreline. The southwestern shoreline is partially naturalized, but recently cleared of large trees and replanted under a Corrective Action Permit in 2020. This portion of the shoreline is defined by a large woodchip berm and 9 planted tree and several shrubs. Existing naturalized vegetation growing along the shoreline includes, Asiatic Bittersweet, Mugwort, Japanese Honeysuckle, Ash saplings, shrub Honeysuckle, Poison Ivy, Garlic Mustard, Euonymus, and Multiflora Rose.

There appears to be no treatment of stormwater runoff from impervious surfaces at the site.

#### Wetland and Watercourse Functions

The functional evaluation of the wetlands is based on professional experience and the suggested criteria cited in the publication entitled "The Highway Methodology Workbook Supplement, Wetland Functions and Values, *A Descriptive Approach*," prepared by the US Army Corps of Engineers, NEDEP-360-1-30a, September 1999.

Using this publication, the primary functions provided by the wetlands include sediment retention, nutrient removal and transformation, stormwater storage, wildlife habitat, visual quality, and limited recreational usage such as nature photography and wildlife observations. The Norwalk River corridor functions as a habitat for finfish and aquatic waterfowl and other aquatic-dependent species, serves as a wildlife corridor (together with its fringe wetlands), a groundwater discharge point, and offers recreational potential such as fishing and small craft boating.

#### Wildlife

The existing site provides little to no wildlife habitat due to existing improvement adjoining the river. However, naturalized areas to the south, north and west are expected to support a range of species adapted to suburban residential habitats, small woodland tracts, and woodland edges. These may provide habitat for wetland dependent wildlife species within the river and riparian edge and provide a small refuge for suburban tolerant wildlife, and are capable of providing habitats for suburban tolerant wildlife species in the form of cover, nesting areas, and food.

The site is not located within a highlighted DEEP Natural Diversity Data Base (NDDDB) map for Wilton (May Dec. 2020).

## PROPOSED CONDITIONS

The development will place a new multi-family single building central locally on the site. The existing paved parking lot adjacent to the river will be removed and a recreational area and planted riparian buffer installed in its place. The bulk of the building is outside of the wetland 100' upland review area, with the closer corner (western) at 88' from the river. Most of the parking is located beneath the building, however some small areas of parking extends outside of the building at the northwestern corner of the building, where the closest corner is 60'  $\pm$  from the river. However, surface parking behind and next to the building (up to 300' from the river) will be constructed with porous pavements. No work is occurring in the wetlands, and 85% of the 100' buffer, totaling 25,020 sf  $\pm$ , will be refurbished from a paved parking lot to a recreational area for the new residences, with extensive replanting of native trees, shrubs, and perennials.

The new development will slightly increase the impervious surfaces on the site. However, significantly improvements to the river buffer and the new stormwater drainage system will dramatically improve water quality leaving the site. The proposed storm drainage management for the site has been developed by Tighe & Bond to provide collection, removal of suspended solids, treatment and infiltration of the first 1" of rainfall.

The following list reflects the proposed activities within the 100' upland review area of the site that encompasses 32,640  $\pm$  sf of the property. This area is now encumbered by 25,020 sf  $\pm$  (75% of the upland review area) of asphalt surface parking.

1. Temporary installation of sediment and erosion controls.
2. Removal of surface asphalt, concrete and the underlying base (24,550 sf  $\pm$  sf).
3. Installation of pervious asphalt (4,635 sf sf).
4. Construction of building (above the ground) totaling 365 sf  $\pm$  sf, in the upland review area.
5. Construction of a fire lane with grass pavers (3490 sf  $\pm$  sf).
6. Construction of a level spreader.
7. Import of topsoil to replace asphalt parking for new landscape areas (780  $\pm$  cy).
8. Landscaping areas with native trees, shrubs, and perennials (11,650  $\pm$  sf).
9. Planting of new lawn (11,615  $\pm$  sf). 1
10. Pervious walking paths (9,375  $\pm$  sf).

11. Removal and management of invasive species along the river's edge (300' ±).

#### Wetland/Watercourse Potential Impacts and Mitigation Measures

The majority of the site work proposed within the 100' upland review area is intended to restore and expand the functions provided by the river's riparian buffer, while also providing outdoor recreation spaces for the residences. This will be accomplished by removing existing pavement and providing treatment of stormwater runoff treatment to diminish direct discharge to the river, and significantly planting the 100' upland review area with native plants.

The project does not anticipated any long term impacts to the wetland resources. There are no direct disturbances proposed with this development. However, short term disturbances will be managed adjacent to the resources to prevent exposed soil surfaces from entering the wetland and the river.

The following Best Management Practices (BMPs) have been incorporated into the site plans for the purposes of avoiding and/or minimizing potential adverse environmental impacts disturbances and site improvements over the site.

- a. *erosion and sedimentation controls* - the site plans indicate that erosion and sedimentation will be controlled by the use of silt fencing to trap sediments within stormwater runoff, anti-tracking pads to remove sediments from tires of construction vehicles, and watering of the site's soils as needed to prevent dust.
- b. *catch basins fitted with sumps* - designed to improve water quality by trapping sediments from roadway stormwater runoff. Accumulated sediments will be periodically removed as needed to maintain the basins in proper working order.
- c. *swirl concentrators* - designed to maintain water quality by trapping road sediments, floatables (litter), and vehicle oils and grease from stormwater runoff. Accumulated sediments, litter and oils will be periodically removed as needed to maintain the system in proper working order.
- d. *underground infiltration galleries* - designed to store stormwater runoff for a period of time and infiltrate stormwater runoff into the ground. Underground infiltration galleries reduce flooding, recharge groundwater, and remove dissolved pollutants as it filters through the soil below. Underground galleries also reduce thermal pollution associated with heated runoff from pavement areas.
- e. *porous pavement* - porous pavement can help reduce runoff by infiltrating rain water and melting snow. These materials allow rain and snow melt to seep through the surface down to underlying layers of soil and gravel. In addition to reducing the runoff, permeable pavements can help filter out pollutants that contribute to water pollution. Permeable pavements can also reduce the need for road salt during the winter months. The western portion of the surface pavement is proposed to be pervious.

- f. *stone trenches* - proposed stone trenches surround the western edge of the porous pavement. Stone trenches will capture any excess runoff from the porous pavement. Stone trenches will help cleanse stormwater runoff collected from the new driveway, building roof, and landscape areas by trapping sediments and removing nutrients through plant uptake, and by infiltration. As infiltration occurs, thermal pollution will be reduced from development areas, runoff volume from the development will be reduced and recharge groundwater will occur.
- g. *overland flow* - stormwater runoff flowing over newly vegetated buffer areas will result in the trapping of sediments, uptaking of nutrient by plants, and infiltrating runoff. This BMP will occur over the site's proposed landscaped areas.
- h. *planted buffers* - native shade trees, understory trees, shrubs, and herbaceous plants are proposed within the wetland buffer for wildlife habitat and aesthetic purposes. Planted buffers will also help to maintain water quality aiding to remove pollutants within stormwater runoff by plant uptake. The new riparian buffer along the river will change from a width of 0 to 35'  $\pm$  to 60 to 100'  $\pm$  in width. The new river buffer will include planting of 49 shade and understory trees, over 375 shrubs and over 500 perennials known to benefit pollinators.
- i. *level spreader* - a linear level area of stone is proposed at the end of the drainage pipe from the storm drainage system to slow the velocity of the discharged stormwater runoff and prevent erosion.
- j. *control of invasive nonnative plant species* - the Landscape Plan indicates the control of Japanese Knotweed, Mugwort, Multiflora Rose, and Porcelainberry for a minimum of a two year period during the bonding period and is expected to be included in the regular maintenance for the site.

## **HABITAT IMPROVEMENTS**

The existing site is lacking a significant habitat to support local wildlife, primarily due to the existing paved parking lot which consumes most of the river's riparian buffer. The proposed plan will enhance wildlife habitat planting native trees and shrubs that native species, and provide food sources, nesting site, and cover for local and migratory wildlife.

In addition the plan includes:

1. Placement of 3 bird houses, final location to be determined in the field.
2. Placement of one bat box, final location to be determined in the field.
3. Provide allowances of some plant debris to remain in riparian buffer, with appropriate signage to alert residence of the areas value.
4. Replacement of solid concrete slabs along the river's edge, with broken stones, providing niches for wildlife and allowing vegetation to expand and stabilized the river's edge.



5. Planting a grove of American Holly trees within the riparian buffer for food source, nesting and winter protection.
6. Planting perennials in the buffer enhancement area known for their pollinator value.

In addition, the applicant is willing to adopted an Organic Land Care Practice for the on going project maintenance. ELS will submit a packet for the staff's review and adoption for the project.

## **ALTERNATIVES**

As part of the application for a Significant Regulated Activity, the applicant has included two earlier versions of the site plan as required by Section 7.5-c of the Inland Wetlands and Watercourses Regulations for the Town of Wilton (the "Regulations"). These preliminary site analysis plans (Sheet A.01A, dated 3/15/20 and Sheet A.01, dated 1/21/21), prepared by Lessard Design, are included as alternative plans that were explored, discussed and ultimately discarded during the design process. It is important to note that, while the disturbance in the regulated area is considered significant based on the thresholds in the Regulations, all work within this area involves landscape enhancements and water quality improvements.

The alternative plans were eliminated after review and further discussion with the design team, town staff and the Planning & Zoning Commission (during a pre-application review). In lieu of utilizing existing developed areas, the applicant was encouraged to relocate units from the rear of the site to the top of the building thereby significantly enhancing the landscape buffer adjacent to the river and adding additional height to the building to compensate for the loss of units at the back of the site.

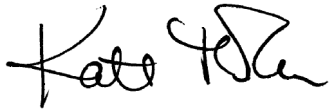
Both of these alternatives would leave developed areas on the site essentially "undisturbed" with asphalt approaching the river's edge, but do not provide the room to replace and significantly enhance the buffer along the river. Instead, the applicant has chosen to modify the zoning regulations to permit additional height and the consolidation of the development further from the river. This provides an added opportunity for water quality improvements as well as wetland buffer enhancements. These changes make this submitted site plan superior to these earlier plans, as it relates to protection and enhancements to the river and wetland resources.

## **SUMMARY**

This proposal has incorporated techniques to reduce impacts to the wetland resources within the site by decreasing the existing impacts to the Norwalk River and its associated resources. The proposed site redevelopment will significantly reduce existing manmade intrusions into the 100' upland review area, improve water quality and significantly expanded native plants on the site. The expanded river buffer will also serve as a passive recreation area for the residents of the new building. These site improvements are expected to enhance the wetland's sediment retention, nutrient removal and transformation, stormwater storage, wildlife habitat, visual quality, and recreational usage.

The proposed site work, taken in total, will provide a net environmental benefit to the Norwalk River and the riparian wetland. The character and functions of the onsite regulated areas are expected to be significantly improved after the completion of this site work.

Sincerely,



Kate Throckmorton, ASLA  
Landscape Architect  
Professional in Erosion and Sediment Control  
Certified NOFA Professional



Matthew J. Popp, ASLA  
Professional Wetland Scientist  
Landscape Architect

Danbury Road 141-wilton-ea2.wpd

March 15, 2021

Mr. Leonard D'Andrea  
Rocco V. D'Andrea, Inc.  
Six Neil Lane  
P. O. Box 549  
Riverside, CT 06878

Re: Wetland and Watercourse Delineation  
141 Danbury Road, Wilton, Connecticut

Dear Mr. D'Andrea:

As requested, we visited the referenced property to determine the presence or absence of wetlands and/or watercourses, to demarcate (flag) the boundaries of wetlands and watercourses identified, and to identify onsite soil types. This letter includes the methods and results of our investigation, which we completed today, March 15, 2021. In summary, one inland wetland and watercourse system was identified and delineated. The system, which extends and flows north to south along the western property boundary, is a segment of the Norwalk River with a bordering wet floodplain wetland.

***Regulatory Definitions***

The Inland Wetlands and Watercourses Act (Connecticut General Statutes §22a-38) defines inland wetlands as “land, including submerged land...which consists of any soil types designated as poorly drained, very poorly drained, alluvial, and floodplain.” Watercourses are defined in the act as “rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the state or any portion thereof.” The Act defines Intermittent Watercourses as having a defined permanent channel and bank and the occurrence of two or more of the following characteristics: A) evidence of scour or deposits of recent alluvium or detritus, B) the presence of standing or flowing water for a duration longer than a particular storm incident, and C) the presence of hydrophytic vegetation.



### ***Methodology***

A second order soil survey in accordance with the principles and practices noted in the USDA publication *Soil Survey Manual* (1993) was completed at the subject site. The classification system of the National Cooperative Soil Survey was used in this investigation. Soil map units identified at the project site generally correspond to those included in the *Soil Survey of the State of Connecticut* (USDA 2005).

Wetland determinations were completed based on the presence of poorly drained, very poorly drained, alluvial, or floodplain soils. Soil types were identified by observation of soil morphology (soil texture, color, structure, etc.). To observe the morphology of the property's soils, test pits and/or borings (maximum depth of two feet) were completed at the site.

Intermittent watercourse determinations were made based on the presence of a defined permanent channel and bank and the occurrence of two or more of the following characteristics: A) evidence of scour or deposits of recent alluvium or detritus, B) the presence of standing or flowing water for a duration longer than a particular storm incident, and C) the presence of hydrophytic vegetation.

Wetland boundaries were demarcated (flagged) with pink surveyor's tape (hung from vegetation) or small flags (on wire stakes) labeled "William Kenny Associates" that are generally spaced a maximum of every 50 feet. Complete boundaries are located along the lines that connect these sequentially numbered flags. The wetland boundaries are subject to change until adopted by local, state, or federal regulatory agencies.

### ***Results***

The approximate 4.3-acre commercial property is located at 141 Danbury Road in Wilton, Connecticut. Danbury Road borders the eastern property boundary. Property improvements include a commercial building and an asphalt parking area and driveway. The primary vegetative cover at the property is lawn with other ornamentals and some shade trees. A meadow is present in the southwestern portion of the property.

One inland wetland and watercourse system was identified and delineated. The system, which extends and flows north to south along the western property boundary, is a segment of the Norwalk River with a bordering wet floodplain wetland. Wetland soils are primarily poorly drained and formed from alluvial deposits. The approximate location of the system is shown on the attached map. The boundary of the system was marked at the site with flags numbered 1 to 17.

Three soil map units were identified on the property (two wetland and one upland). Each map unit represents a specific area on the landscape and consists of one or more soils for which the unit is named. Other soils (inclusions that are generally too small to be delineated separately) may account for 10 to 15 percent of each map unit. The mapped units are identified in the following table by name and symbol and typical characteristics (parent material, drainage class, high water table, depth to bedrock, and slope). These characteristics are generally the primary characteristics to be considered in land use planning and management. A description of each characteristic and their land use implications follows the table. A complete description of each soil map unit can be found in the *Soil Survey of the State of Connecticut* (USDA 2005), and at

<https://soilseries.sc.egov.usda.gov/osdname.aspx>. On the day of the review, there was no soil frost and no snow cover. The upland soil was moist and the wetland soil was wet to inundated. The sky was clear and air temperatures were in the 30's ° F.

<u>Sym.</u>	<u>Map Unit</u> <u>Name</u>	<u>Parent</u> <u>Material</u>	<u>Slope</u> <u>(%)</u>	<u>Drainage</u> <u>Class</u>	<u>High Water Table</u> <u>Depth</u> <u>Kind</u> <u>Mos.</u> <u>(ft)</u>			<u>Depth To</u> <u>Bedrock</u> <u>(in)</u>
<u>Upland Soil</u>								
308	Udorthents, Smoothed	Excavated or Filled Soil (>2 feet)	0-45	Well Drained to Somewhat Poorly Drained	1.5->6.0	Apparent	Nov-May	>60
<u>Wetland Soil</u>								
103	Rippowam fine Sandy loam	Alluvium	0-3	Poorly Drained	0.0-1.5	Apparent	Nov-Jun	>60
109	Fluvaquents- Udifluents complex, frequently flooded	Alluvium Alluvium	0-3 0-3	Poorly Drained Well Drained	0.0-1.0 >6.0	Apparent --	Oct-May --	>60 >60

Parent material is the unconsolidated organic and mineral material in which soil forms. Soil inherits characteristics, such as mineralogy and texture, from its parent material. Glacial till is unsorted, nonstratified glacial drift consisting of clay, silt, sand, and boulders transported and deposited by glacial ice. Glacial outwash consists of gravel, sand, and silt, which are commonly stratified and deposited by glacial melt water. Alluvium is material such as sand, silt, or clay, deposited on land by streams. Organic deposits consist of decomposed plant and animal parts.

A soil's texture affects the ease of digging, filling, and compacting and the permeability of a soil. Generally sand and gravel soils, such as outwash soils, have higher permeability rates than most glacial till soils. Soil permeability affects the cost to design and construct subsurface sanitary disposal facilities and, if too slow or too fast, may preclude their use. Outwash soils are generally excellent sources of natural aggregates (sand and gravel) suitable for commercial use, such as construction sub base material. Organic layers in soils can cause movement of structural footings. Compacted glacial till layers make excavating more difficult and may preclude the use of subsurface sanitary disposal systems or increase their design and construction costs if fill material is required.

Generally, soils with steeper slopes increase construction costs, increase the potential for erosion and sedimentation impacts, and reduce the feasibility of locating subsurface sanitary disposal facilities.

Drainage class refers to the frequency and duration of periods of soil saturation or partial saturation during soil formation. Seven classes of natural drainage classes exist. They range from excessively drained, where water is removed from the soil very rapidly, to very poorly drained, where water is removed so slowly that free water remains at or near the soil surface during most of the growing season. Soil drainage affects the type and growth of plants found in an area. When landscaping or gardening, drainage class information can be used to assure that proposed plants are adapted to

existing drainage conditions or that necessary alterations to drainage conditions (irrigation or drainage systems) are provided to assure plant survival.

High water table is the highest level of a saturated zone in the soil in most years. The water table can affect the timing of excavations; the ease of excavating, constructing, and grading; and the supporting capacity of the soil. Shallow water tables may preclude the use of subsurface sanitary disposal systems or increase design and construction costs if fill material is required.

The depth to bedrock refers to the depth to fixed rock. Bedrock depth affects the ease and cost of construction, such as digging, filling, compacting, and planting. Shallow depth bedrock may preclude the use of subsurface sanitary disposal systems or increase design and construction costs if fill material is required.

### ***Conclusions***

Today, we investigated the property at 141 Danbury Road in Wilton, Connecticut and identified and delineated one inland wetland and watercourse system. Thank you for the opportunity to assist you. If you should have any questions or comments, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "William L. Kenny". The script is fluid and cursive, with the first name being more prominent.

William L. Kenny, PWS, PLA  
Soil Scientist

A handwritten signature in black ink, appearing to read "Alex Wojtkowiak". The signature is more stylized and elongated than the one to its left.

Alexander Wojtkowiak  
Soil Scientist

Enclosure



SOIL LEGEND

UPLAND

308 UDORTHENTS, SMOOTHED

WETLAND

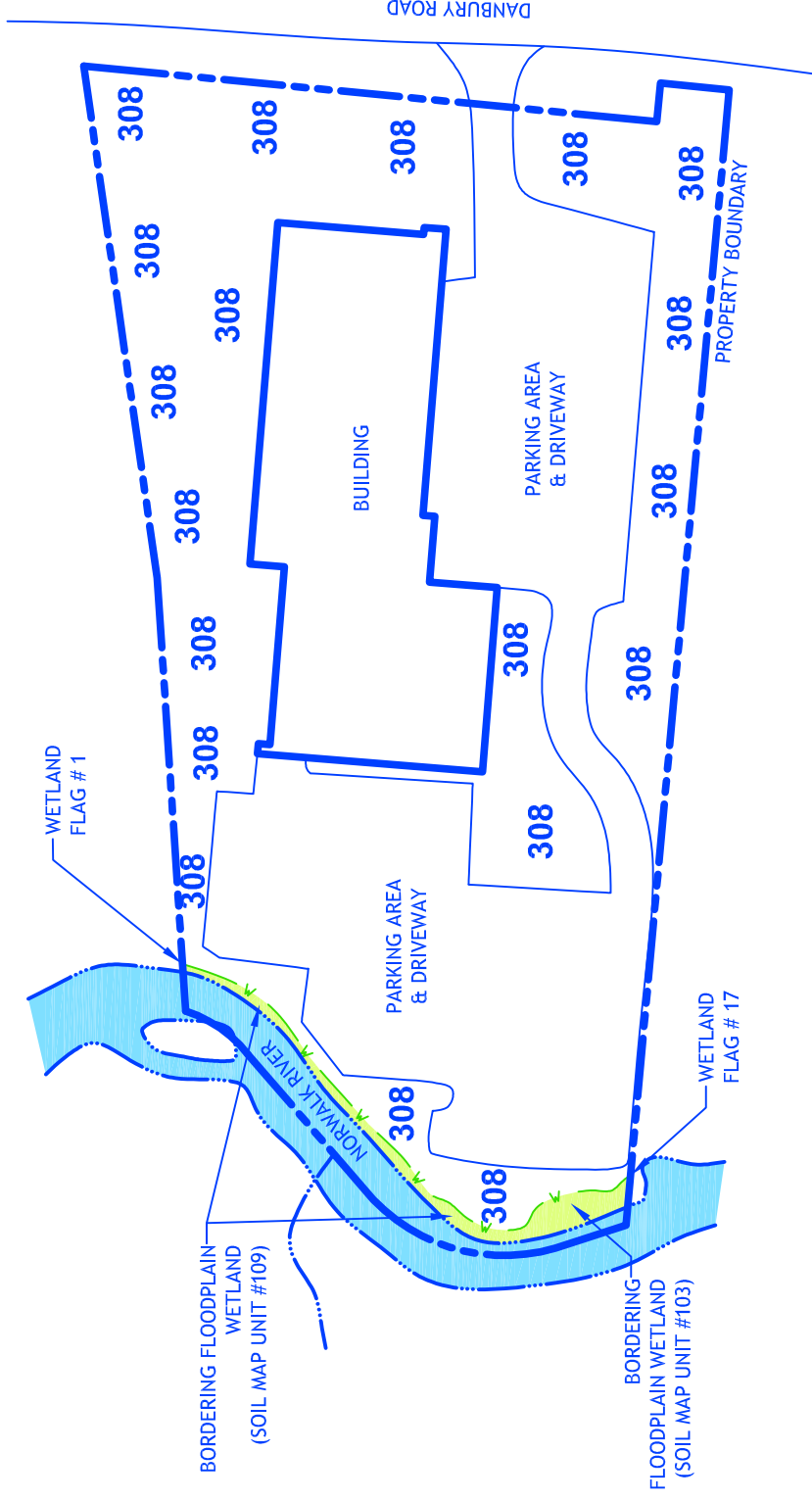
103 RIPPOWAM FINE SANDY LOAM

109 FLUVAQUENTS-UDIFLUVENTS COMPLEX

**WILLIAM KENNY  
ASSOCIATES LLC**

SOIL SCIENCE  
ECOLOGICAL SERVICES  
LAND USE PLANNING  
LANDSCAPE ARCHITECTURE

195 TUNXIS HILL CUTOFF S  
FAIRFIELD, CT 06825  
PHONE: 203 366 0588  
FAX: 203 366 0067  
www.wkassociates.net



**NOTES:**

- INFORMATION SHOWN ON THIS DRAWING, INCLUDING THE WETLAND BOUNDARY, IS APPROXIMATE. THE BOUNDARY IS NOT A SURVEYED REPRESENTATION OF WHAT WAS FIELD MARKED (FLAGGED).
- WETLAND AND SOIL INFORMATION PROVIDED BY WILLIAM KENNY ASSOC. OTHER INFORMATION TAKEN FROM A TOWN OF WILTON GIS MAP.
- 308, 103 AND 109 ARE SOIL MAPPING UNIT SYMBOLS. SEE WETLAND DELINEATION REPORT FOR THE SOIL MAP UNIT NAMES AND ADDITIONAL RELATED INFORMATION.

**WETLAND & WATERCOURSE MAP**

**141 DANBURY ROAD  
WILTON, CONNECTICUT**

SCALE: NOT TO SCALE  
DATE: MARCH 15, 2021

I CERTIFY THAT THIS WETLAND MAP  
SUBSTANTIALLY REPRESENTS THE SOILS  
AND WETLANDS MAPPED IN THE FIELD

*William L. Kenny*  
WILLIAM L. KENNY, SOIL SCIENTIST



Ref. No. 4798

141 Danbury Rd  
500ft Neighbor List  
5/20/2021 (updated 7/8/2021)

	MBLU	Street Address	Owner's Address
1.	55-1-1	1 Lambert Common	Patricia A Garrett & Jean Marie Lorraine 1 Lambert Common Wilton, CT 06897
2.	55-1-2	2 Lambert Common	Sonya Kelepecsz 2 Lambert Common Wilton, CT 06897
3.	55-1-3	3 Lambert Common	Nanette O Rich 3 Lambert Common Wilton, CT 06897
4.	55-1-4	4 Lambert Common	Olga L Rhodes 4 Lambert Common Wilton, CT 06897
5.	55-1-5	5 Lambert Common	Eileen K Meyers 5 Lambert Common Wilton, CT 06897
6.	55-1-6	6 Lambert Common	Denise Melato 6 Lambert Common Wilton, CT 06897
7.	55-1-7	7 Lambert Common	Irene R Farley 7 Lambert Common Wilton, CT 06897
8.	55-1-8	8 Lambert Common	The Canine Companies Inc 493 Danbury Rd Wilton, CT 06897
9.	55-1-9	9 Lambert Common	Est of Clarice Derubeis C/O Elena Rieders Admin 55 Brambling La Voorhees, NJ 08043
10.	55-1-10	10 Lambert Common	Blanche R Goodwin 10 Lambert Common Wilton, CT 06897
11.	55-1-11	11 Lambert Common	OLK Holdings LLC 20 Colonial Ave Princeton Junction, NY 08550
12.	55-1-12	12 Lambert Common	Leslie K Johnson Po Box PP McLean, VA 22101
13.	55-1-13	13 Lambert Common	Marie A Ritch 13 Lambert Common Wilton, CT 06897

14.	55-1-14	14 Lambert Common	Sherrill L Werblood 14 Lambert Common Wilton, CT 06897
15.	55-1-15	15 Lambert Common	Carol A Devine 1446 Unquowa Rd Fairfield, CT 06824
16.	55-1-16	16 Lambert Common	Susan A Wall 16 Lambert Common Wilton, CT 06897
17.	55-1-17	17 Lambert Common	Rebecca Tzanos 17 Lambert Common Wilton, CT 06897
18.	55-1-18	18 Lambert Common	Elizabeth Kimball Dempsey Tr 18 Lambert Common Wilton, CT 06897
19.	55-1-19	19 Lambert Common	Meredith Anne Munro MacLaine 19 Lambert Common Wilton, CT 06897
20.	55-1-20	20 Lambert Common	Phyllis F Zappala Trustee 18 Buttonball La Weston, CT 06883
21.	55-1-21	21 Lambert Common	Ellen Morrone Est Steven D Smith P O Box 390 C/O Lovejoy And Rimer PC Norwalk, CT 06852
22.	55-1-22	22 Lambert Common	Richard & Edith Canzonetti 22 Lambert Common Wilton, CT 06897
23.	55-1-23	23 Lambert Common	Donald A & Eileen P Allers 23 Lambert Common Wilton, CT 06897
24.	55-1-24	24 Lambert Common	Rita H Hausdorff 24 Lambert Common Wilton, CT 06897
25.	55-1-25	25 Lambert Common	Gabriel C Andreescu & Sarah A Andreescu 25 Lambert Common Wilton, CT 06897
26.	55-1-26	26 Lambert Common	Kim Gumsook & Hwi Tae 26 Lambert Common Wilton, CT 06897
27.	55-1-27	27 Lambert Common	Nancy Burroughs 27 Lambert Common Wilton, CT 06897

28.	55-1-28	28 Lambert Common	Margaret M Kelley 28 Lambert Common Wilton, CT 06897
29.	55-1-29	29 Lambert Common	Catherine J Mannix 32 Dorothy Rd Redding, CT 06896
30.	55-1-30	30 Lambert Common	Mady E McSweeney 30 Lambert Common Wilton, CT 06897
31.	55-1-31	31 Lambert Common	Barbara F Sage 31 Lambert Common Wilton, CT 06897
32.	55-1-32	32 Lambert Common	James M Campbell 32 Lambert Common Wilton, CT 06897
33.	55-1-33	33 Lambert Common	Kurt & Christine Olson 33 Lambert Common Wilton, CT 06897
34.	55-1-34	34 Lambert Common	Marjorie Simpson & Samuel Simpson & Sv 34 Lambert Common Wilton, CT 06897
35.	55-1-35	35 Lambert Common	Lori A Bufano 35 Lambert Common Wilton, CT 06897
36.	55-1-36	36 Lambert Common	Ann Brooke Swenson 36 Lambert Common Wilton, CT 06897
37.	55-1-37	37 Lambert Common	Richard A Edgar & Lorraine Jean Edgar & SV 37 Lambert Common Unit #347 Wilton, CT 06897
38.	55-1-38	38 Lambert Common	Jeannette R Pascarelli 38 Lambert Common Wilton, CT 06897
39.	55-1-39	39 Lambert Common	Joseph C & Gail M Cioffi 39 Lambert Common Wilton, CT 06897
40.	55-1-40	40 Lambert Common	Roslyn Dobey 40 Lambert Common Wilton, CT 06897
41.	55-1-41	41 Lambert Common	Mary B Preston 41 Lambert Common Wilton, CT 06897



42.	55-1-42	42 Lambert Common	Denise Robertson 42 Lambert Common Wilton, CT 06897
43.	55-1-43	43 Lambert Common	John Cocozza 43 Lambert Common Wilton, CT 06897
44.	55-1-44	44 Lambert Common	Elizabeth Picone Trustee 44 Lambert Common Wilton, CT 06897
45.	55-1-45	45 Lambert Common	Aaron & Erin Jacobstein 153 Bob Hill Rd Ridgefield, CT 06877
46.	55-1-46	46 Lambert Common	Lin Xin Yu 46 Lambert Common Wilton, CT 06897
47.	55-1-47	47 Lambert Common	Bruce D Hampson 47 Lambert Common Wilton, CT 06897
48.	55-1-48	48 Lambert Common	Janet M Bondeson 48 Lambert Common Wilton, CT 06897
49.	55-1-49	49 Lambert Common	Leslie A Miles 49 Lambert Common Wilton, CT 06897
50.	55-4-1	1 Wilton Hills	James A & Linda L Kaylor 1 Wilton Hills Wilton, CT 06897
51.	55-4-2	2 Wilton Hills	Frank & Carol Gavel 2 Wilton Hills Wilton, CT 06897
52.	55-4-3	3 Wilton Hills	Joseph & Lois Block 3 Wilton Hills Wilton, CT 06897
53.	55-4-4	4 Wilton Hills	Frank L Picchione 4 Wilton Hills Wilton, CT 06897
54.	55-4-5	5 Wilton Hills	Kaushik Ramamoorthy & Muthukrishnan Aarthie 5 Wilton Hills Wilton, CT 06897
55.	55-4-6	6 Wilton Hills	Kenneth J Wilchfort 6 Wilton Hills Wilton, CT 06897
56.	55-4-7	7 Wilton Hills	Gregg Feldman

			Lynn Schlesinger 7 Wilton Hills Wilton, CT 06897
57.	55-4-8	8 Wilton Hills	Hollis E Wright-Warren 8 Wilton Hills Wilton, CT 06897
58.	55-4-9	9 Wilton Hills	G William Brautigam & Nancy L Brautigam 9 Wilton Hills Wilton, CT 06897
59.	55-4-10	10 Wilton Hills	Mullapudi Venkata Ramakrishna & Kakarla Kalyani 10 Wilton Hills Wilton, CT 06897
60.	55-4-11	11 Wilton Hills	Fred Rzepka 25250 Rockside Rd Bedford Heights, OH 44146
61.	55-4-12	12 Wilton Hills	Jack M & Laura Boyles 12 Wilton Hills Wilton, CT 06897
62.	55-4-13	13 Wilton Hills	Charles Calvin Thomas, & Betty Wells Thomas 13 Wilton Hills Wilton, CT 06897
63.	55-4-14	14 Wilton Hills	Sriram S Belur & Brunda B Govinda 14 Wilton Hills Wilton, CT 06897
64.	55-4-15	15 Wilton Hills	Andrew M Schopick 15 Wilton Hills Wilton, CT 06897
65.	55-4-16	16 Wilton Hills	Tsui Tak Kwan Kun Sharon 16 Wilton Hills Wilton, CT 06897
66.	55-4-17	17 Wilton Hills	Ajitabh Kaushal & Sharan Chetna 17 Wilton Hills Wilton, CT 06897
67.	55-4-18	18 Wilton Hills	Michele A Rudnicki 18 Wilton Hills Wilton, CT 06897
68.	55-5	116 Danbury Rd	REIF III Danbury Road LLC 230 Park Ave New York, NY 10169

69.	56-1	149 Danbury Rd	Ring's End Inc Po Box 1066 Darien, CT 06820
70.	56-2	153 Danbury Rd	State of Connecticut 2800 Berlin Tpke Newington, CT 06131
71.	56-3	159 Danbury Rd	State of Connecticut 2800 Berlin Tpke Newington, CT 06131
72.	56-5	Danbury Rd	State of Connecticut 2800 Berlin Tpke Newington, CT 06131
73.	56-45	156 Danbury Rd	State of Connecticut 2800 Berlin Tpke Newington, CT 06131
74.	56-46A-BC	Danbury Rd	State of Connecticut 2800 Berlin Tpke Newington, CT 06131
75.	69-38	111 Danbury Rd	Cubsmart LP C/O PTA-CS#831 Po Box 320099 Alexandria, VA 22320
76.	69-41	129 Danbury Rd	Ring's End Incorporated Po Box 1066 Darien, CT 06820
77.	70-1	131 Danbury Rd	FGI Wilton LLC 525 Homestead Ave Mt Vernon, NY 10550
78.	70-2	141 Danbury Rd	FAB 5 LLC Po Box 590 Westport, CT 06881
79.	70-3	17 Wolfpit Rd	State of Connecticut 2800 Berlin Tpke Newington, CT 06131
80.	70-2A	Danbury Rd	State of Connecticut 2800 Berlin Tpke Newington, CT 06131
81.	55-1	1-49 Lambert Common	The Property Group of CT., Inc. 25 Crescent Street Stamford, CT 06906
82.	55-4	1-18 Wilton Hills	4 Wilton Hills 4 Wilton Hills Wilton, CT 06897
83.		1-18 Wilton Hills	19 Wilton Hills 19 Wilton Hills Wilton, CT 06897

84.	70-16-1	Danbury Rd	The Conn Light & Power Co PO Box 270 Hartford, CT 06141
85.			Metro North Ron Bottacari 347 Madison Avenue New York, NY 10022
86.			David Willard 525 Water Street Bridgeport, CT 06601
87.			Seth Cummins, Esq. 347 Madison Avenue New York, NY 10017
88.			Penn Central Metro-North Railroad – Suburban Station 4 Penn Central Plaza – Floor 1200 Philadelphia, PA 19103
89.			Penn Central Metro-North Railroad 4 Penn Central Plaza – Floor 1200 Philadelphia, PA 19103
90.			State of Connecticut Dept. of Transportation Julie Thomas Office of Rail – Union Station – 4 <sup>th</sup> Floor West 50 Union Ave. New Haven, CT 06519
91.			State of Connecticut Dept. of Transportation Julie Thomas 4 Brewery Street New Haven, CT 06519
92.			State of Connecticut Dept. of Transportation Robert Ike 2800 Berlin Turnpike P.O. Box 317546 Newington, CT 06131
93.			Amy Martinez, Transportation Principal Property Agent Department of Transportation Appraisals/Property Management Division 2800 Berlin Turnpike



			P.O. BOX 317546 Newington, CT 06131-7546
94.			Sheila Mary Sopper Director, Real Estate Development & Operations National Railroad Passenger Corporation (AMTRAK) 30th Street Station, Floor 5S 2955 Market Street Philadelphia, PA 19104
95.			Alan Warner Senior Manager, Real Estate Development National Railroad Passenger Corporation (AMTRAK) 30th Street Station - 5S-014 - Box 25 2955 Market Street Philadelphia, PA 19104
96.			Theodore Smigelski Connecticut Department of Transportation Office of Rail - Property Management Unit Component Change Out Building - 4th Floor 4 Brewery Street New Haven, CT 06519

## **List of Project Professionals**

1. Property Owner: Samuel Fuller – FDSPIN 141 DR, LLC
2. Project Architects: Luz Del Mar Rosado, Ulises Montes De Oca, Ricardo Tovar – Lessard Design
3. Landscape Architect: Kate Throckmorton – Environmental Land Solutions
4. Site Engineer: Erik Lindquist, Senior Project Manager – Tighe & Bond
5. Traffic Consultant: Craig Yannes – Tighe & Bond
6. Surveyors: Leonard D’Andrea, Edwin Rhodes - RVDI
7. Planner: Raymond Mazzeo, Redniss & Mead
8. Land Use Attorneys: Lisa Feinberg & Jason Klein – Carmody Torrance Sandak Hennessey LLP

Return to: Spinnaker Real Estate Partners LLC  
1 North Water Street, Suite 100  
Norwalk, CT 06855  
Attention: Staci Bachman, GC



Doc ID: 002985820003 Type: LAN

BK **2535** PG **658-660**

**TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING;**

KNOW YE, THAT **FAB 5, LLC**, a Connecticut limited liability company, 141 Danbury Road, Wilton, CT (hereinafter referred to as "Grantor"), for the consideration of the sum of **THREE MILLION SEVEN HUNDRED THOUSAND AND 00/100 (\$3,700,000.00) DOLLARS**, received to its full satisfaction of **FDSPIN 141 DR LLC**, a Connecticut limited liability company, (hereinafter referred to as "Grantee"), does give, grant, bargain, sell and confirm unto the said Grantee, and its successors and assigns forever:

**See Attached Schedule A**

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, and unto its successors and assigns forever, to them and their own proper use and behoof.

AND ALSO, the said Grantor, does for itself, and its successors and assigns, covenant with the said Grantee and with its successors and assigns, that at and until the ensembling of these premises, it is well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and has good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as hereinbefore mentioned.

AND FURTHERMORE, the said Grantor, does by these presents bind itself and its successors and assigns forever to WARRANT AND DEFEND the above granted and bargained premises to it, the said Grantee, and to its successors and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

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WITNESSES:

FAB 5, LLC

4830-5649-4319, v. 1



## SCHEDULE A

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Wilton, County of Fairfield and State of Connecticut, on Danbury Road, so-called, bounded and described as follows:

PARCEL B-1, in area 4.62 acres, more or less, as shown on that certain map entitled, "Revised Map of Property Prepared for Robert O. Banks and Ernest Rau at Wilton, Conn., Scale 1" = 40', June 16, 1967", Leo Leonard – Civil Engineer & Surveyor, Norwalk, Connecticut and on file in the Office of the Wilton Town Clerk as Map No. 3609, reference to such map being hereby made and had for a more particular description hereof.

LESS AND EXCEPTING THEREFROM those premises situated in the Town of Wilton, County of Fairfield and State of Connecticut and described as follows:

**Parcel One:** A certain piece or parcel of land located on the westerly side of Route U.S. 7, covering an area of 0.12 of an acre, more or less, bounded and described as follows:

SOUTHWESTERLY;

WESTERLY and

NORTHWESTERLY:

EASTERLY:

by land now or formerly of Frederick W. Jayne et al, 209 feet, more or less; by owners' remaining land, a total distance of 183 feet, more or less, by a line designated as "Taking Line and Non Access Highway Line" as shown on the map hereinafter referred to as Sheet #1.

**Parcel Two.** A certain piece or parcel of land located on the westerly side of Present Route U.S.7, covering an area of 0.16 acre, more or less, bounded and described as follows:

EASTERLY

SOUTHERLY and

WESTERLY:

by Present Route U.S. 7, 348 feet, more or less;

by owners' remaining land, a total distance of 364 feet, more or less, by a line designated as Taking Line" as shown on the map hereinafter referred to as Sheet #2;

NORTHERLY:

by land now or formerly of Adeline Whitlock Gorham, 20 feet, more or less.

And these two parcels contain 0.28 of an acre, more or less, together with all appurtenances, all of which more particularly appear on a map on file in the Office of the Wilton Town Clerk entitled, "Town of Wilton, Map Showing Land Acquired from Robert O. Banks et al by the State of Connecticut, Relocation of Route U.S. 7 (Limited Access Highway), Scale 1" = 40', Oct. 1969", Ralph L. Hager, Deputy Transportation Commissioner – Bureau of Highways". (102-125-130)

*Dani A. Solovick*