

MEMORANDUM

TO: Planning & Zoning Commission Members

CC: Michael Wrinn

FROM: Redniss & Mead and Carmody Torrance Sandak & Hennessey, agents for the applicant FDSPN 141 DR LLC

DATE: October 14, 2021

RE: Response to Commission Member Questions Regarding Application No. REG#21390 & SP #481

The Planning & Zoning Commission (the “**Commission**”) opened the Public Hearing regarding Application No. REG#21390 (the “**Regulation Amendment**”) and SP #481 (the “**Special Permit Application**”) on September 22, 2021. During the Public Hearing members of the Commission asked the Applicant to consider a number of questions concerning the Regulation Amendment and the Special Permit Application. The Applicant’s responses to these questions are provided in *italics* below.

1. Can the proposed Design Enterprise Residential District (Overlay) (the “**DE-5R**”) Standards be applied to properties that are later rezoned to the Design Enterprise District (the “**DE-5**”)?

Properties located along Danbury Road and south of Wolfpit Road that are rezoned to DE-5 in the future would be eligible for subsequent DE-5R designation (pursuant to a Zoning Map Amendment approval issued by the Commission). If desirable, the Commission may further limit the applicability of the DE-5R Overlay to those properties located in the DE-5 at the time the Regulation Amendment becomes effective. The Commission has wide discretion in approving Zone changes and can control any additional properties to areas deemed appropriate.

2. Are townhouse communities permissible under the proposed Regulation Amendment?

Yes. Like the proposed development of 141 Danbury Road, a townhouse community would “increase the availability of multi-family housing and smaller housing units” that help to diversify “the Town’s housing stock to support a range of life stages.” In fact, the Area and Bulk Standards proposed for the east side of Danbury Road encourage this scale of multifamily development.

The Zoning Regulations already permit the Commission to approve a development with more than 1 principal building (see Section 29-7.D.9). No changes to this section of the Zoning Regulations are proposed. Thus, the Commission will maintain the authority to

approve townhouse communities on appropriate parcels within the DE-5R. However, given the desire to encourage flexibility in housing options, the Applicant agrees it is prudent to make multiple principal buildings permissible without special approval from the Commission. The enclosed text change incorporates such language for the Commission's consideration.

3. Should Section 29-7.D.2 of the Regulation Amendment be revised to include location on Danbury Road as a "Site Requirement?"

The Applicant has modified Section 29-7.D.2 to include location on Danbury Road as a site requirement.

4. Why does the Regulation Amendment require that 50% or more of the Gross Floor Area of a building within the DE-5R be devoted to residential uses?

The proposal requires that 50% or more of the Gross Floor Area of a building within the DE-5R be devoted to residential use, ensuring development within this new district furthers the Town's goals to diversify the Town's housing stock to support a range of life stages. The Applicant does not believe a standard of 51% is necessary but is happy to incorporate same should the Commission disagree. The intent of the minimum percentage was merely to ensure that the proposed standards are used in furtherance of the Town's housing goals (not as way to increase commercial development).

5. Should the Regulation Amendment include a higher Affordable unit requirement?

As discussed in detail during the pre-application process, the Applicant is not in a position to provide more than 10% of the units as Affordable Units.

6. Should the Regulation Amendment incorporate energy efficiency standards??

The proposed development of 141 Danbury Road includes the installation of 12 electric vehicle charging spaces, energy efficient appliances and systems, as well as other measures to support sustainable development. We further note that the Special Permit Standards contained in the Zoning Regulations require that the Commission analyze "the impact of the proposed use on the natural characteristics of the site and the surrounding environment."¹ This standard allows the Commission to determine what environmental and energy efficiency standards may be appropriate for a specific site/proposal on a case-by-case basis. The Applicant submits that any new standard should be properly studied prior to incorporation in the regulations and be applied to areas beyond the scope of this application.

¹ Zoning Regulations Sec. 29-10.A.9.e.

7. How do the proposed changes to steep slope standards further Town policies?

As discussed during the public hearing, the Applicant understands that the steep slope provisions were adopted to ensure compatibility between different intensity of uses. However, unintentionally, the provision often limits creative development solutions and additional housing. Instead of adhering to an inflexible standard, the Applicant submits that the Special Permit process arms the Commission with the discretion necessary to protect both the environment and neighbors while still furthering the Town's housing goals.

8. Is making the easterly side of Danbury Road eligible for DE-5R designation in keeping with Town policies?

*The proposed Regulation Amendment respects the unique characteristics that distinguish the westerly and easterly sides of Danbury Road. In recognition of the differences (proximity of adjacent uses and the presence of natural and manmade buffers), the Regulation Amendment allows for taller, apartment-style development on the west-side of Danbury Road, and encourages townhouse, garden home, and similarly styled communities on the east side. This approach is in keeping with the Plan of Conservation and Development's (the "**Town Plan**") emphasis on developing Danbury Road "with a diverse mix of uses with the highest intensity uses in the southern portion of the corridor and more rural patterns north of Cannondale."² The goal is to encourage and direct new residential development in the areas identified in the Town Plan, which includes both sides of this Danbury Road corridor.*

It should also be noted that a property must first obtain Zoning Map Amendment approval from the Commission to be rezoned to the DE-5R before it can be improved with any multi-family community. In reviewing a Zoning Map Change Application, the Commission has significant discretion in determining that the proposed change is in keeping with the Town Plan. This added level of Commission control will ensure that the DE-5R is appropriately utilized on either the west or east side of Danbury Road.

9. Consider simplifying the front red brick parapet on the proposed building.

The Applicant has simplified the front red brick parapet, and has enlarged the windows with spandrel glass above the building entry.

10. Does the Applicant agree to incorporating organic practices into regular landscape maintenance?

² Town Plan, pg. 3.

Yes, the Applicant agrees to incorporating organic practices into landscape maintenance as described in the Landscape Maintenance Plan dated July 28, 2021.

11. Should the existing lighting standard be formally modified?

The Zoning Regulations require a minimum ground-level light intensity of two and one-half foot candles.³ This standard may be appropriate for commercial developments in poorly lit areas, but is not appropriate for properties that will be put to residential use in the DE-5R. Moreover, the Applicant understands that the Commission has historically allowed lighting programs with lower levels of light intensity where “determined necessary to protect adjacent property.”⁴ The Applicant believes that the .5 foot-candle lighting included in the proposed development would be appropriate for properties within the DE-5R, and is sufficient to “protect adjacent property.” Therefore, the Applicant proposes introducing a lighting control specific to properties to be developed in the DE-5R.⁵ This standard will allow lighting at levels in keeping with industry and safety standards, and that is not offensive to neighboring properties. Please refer to the enclosed text change dated October 15, 2021, for the specific language.

³ See Zoning Regulations Sec. 29-9.E.2.e.

⁴ See Zoning Regulations Sec. 29-9-E.4.g.

⁵ Should the Commission desire to apply this new standard to other zones, a separate application would need to be approved.

Proposed Text Amendments
FDSPIN 141 DR LLC
October 15, 2021

Amend the Wilton Zoning Regulations to add the DE-5R District to the Table of Contents and adjust section identifications accordingly. Additions are indicated with a **red and bold** font. Deletions are indicated in a ~~red strikethrough~~.

****Changes from the prior draft are highlighted in yellow****

DESIGN ENTERPRISE DISTRICTS	29-7
Purpose	29-7.A
DE-10 Design Enterprise District	29-7.B
1. Site Plan Uses	
2. Special Permit Uses	
3. Permitted Accessory Uses	
DE-5 Design Enterprise District	29-7.C
1. Site Plan Uses	
2. Special Permit Uses	
3. Permitted Accessory Uses	
4. Requirements for Retail Sale and Storage of Home Building Materials	
DE-5R Design Enterprise Residential District (Overlay)	29-7.D
1. Purpose	
2. Site Requirements	
3. Underlying Design Enterprise District Uses	
4. Special Permit Uses	
5. Permitted Accessory Uses	
General Requirements for all Design Enterprise Districts	29-7. DE
Area and Bulk Requirements	29-7. EF

Proposed Text Amendments
FDSPIN 141 DR LLC
October 15, 2021

Amend the Wilton Zoning Regulations to add the DE-5R District to Section 29-3.A. Establishment of Zoning Districts. Additions are indicated in a **red and bold** font.

29-3

29-3 ESTABLISHMENT OF DISTRICTS

- A. ESTABLISHMENT OF ZONING DISTRICTS - The Town of Wilton is hereby divided into the following types of Zoning Districts for the purpose of implementing the Town's adopted Comprehensive Plan of Development, and in recognition of the character, type, location and extent of existing development within the town:

R-2A	Single-Family Residence District
R-1A	Single-Family Residence District
CRA-10	Center Residence Apartment District
THRD	Townhouse Residence District
DRD	Design Residence District
DE-10	Designed Enterprise District
DE-5	Designed Enterprise District
DE-5R	Designed Enterprise Residential District (Overlay)
WC	Wilton Center District
DRB	Design Retail Business District
GB	General Business District

Amend the Wilton Zoning Regulations to differentiate step-back requirements for "half-story" designs as described in Section 29-4.C.2. Additions are indicated in a **red and bold** font. Deletions are indicated with a ~~red strikethrough~~.

2. Half Stories

The following requirements for half stories shall be adhered to:

- a. Where located above another story, **and where the aggregate floor area is more than 25% of the story below**, the exterior perimeter of the half-story floor area shall be set back on at least two opposite sides of the building by distances each equal to one-fourth the parallel dimension of the story below.

Proposed Text Amendments
FDSPIN 141 DR LLC
October 15, 2021

Amend the Wilton Zoning Regulations to add the DE-5R District to Section 29-7 Design Enterprise Districts including text additions and deletions in Sections 29-7.A., 29-7.D., 29-7.E. and 29-7.F. Additions are indicated in a **red and bold** font. Deletions are indicated with a ~~red strikethrough~~.

29-7 DESIGN ENTERPRISE DISTRICTS

DE - 10 DESIGN ENTERPRISE DISTRICT

DE - 5 DESIGN ENTERPRISE DISTRICT

DE-5R DESIGN ENTERPRISE RESIDENTIAL DISTRICT (OVERLAY)

- A. **PURPOSE:** To provide a favorable and stable environment for the growth of industry **and multi-family housing** to strengthen Wilton's economic base. The controls in the districts are intended to foster coherent development of modern ~~industrial~~ facilities at contemporary site development standards, while **integrating with multi-family residential areas** and minimizing disturbance to **single-family** residential areas.

(No change to 29-7.B.)

(No change to 29-7.C.)

D. DE-5R DESIGN ENTERPRISE RESIDENTIAL DISTRICT (OVERLAY)

1. **Purpose:** The DE-5R Design Enterprise Residential District (Overlay) is an overlay zone intended to allow for the conversion or redevelopment of commercial properties, or portions thereof, in the DE-5 Design Enterprise District into multi-family dwelling units for rental or sale. In keeping with the Plan of Conservation and Development, the overlay zone is intended to increase the availability of multi-family housing and smaller housing units diversifying the Town's housing stock to support a range of life stages. This includes younger working age and older populations whose housing and affordability needs overlap. Eligible sites in the DE-5 District are along Danbury Road where development capacity and supportive infrastructure is available or can be appropriately expanded.
2. **Site Requirements:** The DE-5R District may only overlay on lots or portions of lots located south of Wolfpit Road within the DE-5 Design Enterprise District **with frontage on Danbury Road**.
3. **Underlying Designed Enterprise District Uses:** The uses allowed in the underlying zoning district shall be allowed in the Designed Enterprise Residential District (Overlay) subject to the same limitations as apply in the underlying zoning district(s).
4. **Special Permit Uses:** The following principal uses shall be permitted subject to Special Permit and Site Plan approvals in accordance with 29-10 and 29-11.

Proposed Text Amendments

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October 15, 2021

- a. Multi-family dwelling units including attached and/or detached apartments and dwelling units located in one or more primary buildings.
5. Permitted Accessory Uses: The following accessory uses shall be permitted in the DE-5R Designed Enterprise Residential District (Overlay):
- a. Private garages solely for the use of residents, provided that the height shall not exceed 14 feet.
 - b. Recreational facilities solely for the use of the residents and their nonpaying guests.
 - c. Professional offices and home occupations for resident occupants; subject to the requirements of 29-5.C.4.
 - d. Family day care homes.
 - e. Garden houses, toolhouses, playhouses, greenhouses, swimming pools or similar accessory uses customarily incidental to the permitted principal use of the premises and not operated for profit, provided that any such structure complies with all yard setback requirements for buildings.
 - f. Off-street parking facilities for the use of the occupants of the premises and their guests, in accordance with 29-8.B., provided that not more than one commercial vehicle per each dwelling unit, other than passenger cars shall be regularly parking on the premises. Any such commercial vehicle shall be stored in a fully enclosed structure or otherwise effectively screened from the view from adjacent properties.
 - g. Small satellite dishes less than 24 inches in diameter and visually screened so as not to be visible from adjacent property or a public right-of-way.

~~DE.~~ GENERAL REQUIREMENTS FOR ALL DESIGN ENTERPRISE DISTRICTS

1. All uses shall conform to the Environmental and Performance Standards of 29-9 **except that:**
 - a. by Special Permit in the DE-5R Design Enterprise Residential District (Overlay), the maximum contiguous area of disturbance, as described in Section 29-9.I, shall not exceed 7,500 square feet for slopes greater than 35% and 25,000 square feet for slopes greater than 15%, provided that the Commission makes a finding that the proposal will not adversely impact neighboring properties; and
 - b. the requirements of Section 29-9.E.2.e shall not apply to residential uses.
2. Waste or scrap materials, debris, discarded or used materials, nonregistered or non-operable motor vehicles or parts, or other unsightly material shall be stored within a structure at least six feet in height, which does not extend into any required yard, or shall be screened in accordance with the provisions of 29-8.C.3.
3. The frontage of two or more lots making use of a single joint entry and a single exit to a frontage street may be computed as a single frontage.

Proposed Text Amendments

FDSPIN 141 DR LLC

October 15, 2021

4. Yards on a common side lot line may be omitted where two or more lots containing no residential uses make use of a single joint entry and single joint exit to a frontage street provided permanent vehicular access shall be provided to the rear of all such lots.
5. All manufacturing, research and development, display and storage activities permitted in the DE-10 and DE-5 districts shall be conducted within fully enclosed buildings, except for off-street parking and loading facilities, and as otherwise provided.
6. No parking shall be permitted in the required front yard **except in the DE-5R Designed Enterprise Residential District (Overlay) where visitor and accessible parking spaces may be permitted, provided such parking spaces do not occupy more than one-third of the Frontage and does not exceed 5% of the required residential parking.** All front yard areas shall be suitably landscaped, as required by 29-8.C.
7. Where adjoining property in a residence district to the side or rear lies within the right-of-way of a railroad, the side or rear yard setbacks may be reduced to 50 feet. Where adjoining property in a residence district to the side and rear lies within the right-of-way of a railroad, and where the railroad property adjoins a public utility right-of-way and/or a publicly owned right-of-way with a total width of not less than 200 feet, the side and rear yard building setbacks and the parking setbacks may be reduced to 10 feet. *
8. Where property adjoining in a residence district to the side or rear lies within the right-of-way of a railroad, the side or rear yard parking and loading setbacks may be reduced to ten feet.
9. The Commission may grant a waiver to allow for the establishment of more than one principal building on a lot when located in a design enterprise zone. In considering such a waiver request, the Commission shall determine that reasonable provisions have been provided to insure safe and proper internal traffic circulation, adequate separation distance between buildings, sufficient landscaping and appropriate site lighting. The Commission shall make a finding that the proposed uses are compatible in nature and will not create undue congestion nor result in unsafe traffic conditions, either on or off the subject premises. This provision shall apply only to the number of allowed buildings on any given lot and shall not be construed as a waiver of any other regulation or requirement contained in the zoning regulations. *

Proposed Text Amendments
FDSPIN 141 DR LLC
October 15, 2021

EF. AREA AND BULK REQUIREMENTS ~~FOR INDUSTRIAL ZONES:~~

The following area and bulk requirements shall be applicable to all developments in the DE-5 and DE-10 Districts, as indicated. Dimensions are in feet unless otherwise indicated.

	DE-10	DE-5
1. Minimum Front Yard	100	50 (a)
2. Minimum Side Yard (each)	100	50
- When abutting a residential district	150	100
3. Minimum Rear Yard	100	50
- When abutting a residential district	150	100
4. Minimum Parking and Loading Setbacks (Side and Rear Yards)	40	25
- When abutting a residential district	75	75
5. Maximum Building Height (Stories/Feet)	3/39 (b)(c)*	3/39 (b)*(c)*
6. Maximum Building Coverage (%)	25	25
7. Maximum Site Coverage (%)	50*	50
8. Minimum Lot Size (acres)	10	5
9. Minimum Lot Frontage	150	150

(a) Except setbacks shall be 100 feet along Route 7.

(b) Except as otherwise provided in Section 29-4.C.1.

(c) A 4 story and/or 55 foot high building may be located on lots that are in conformance with minimum area requirements of the DE-10 or DE-5 district. They shall not be permitted by action of the Zoning Board of Appeals.

Proposed Text Amendments
FDSPIN 141 DR LLC
October 15, 2021

The following area and bulk requirements shall be applicable to all developments in the DE-5R Designed Enterprise Residential District (Overlay) where at least 50% of the Gross Floor Area within the Overlay is dedicated to Residential use. Dimensions are in feet unless otherwise indicated.

		Lots West of Danbury Road	Lots East of Danbury Road
1.	Minimum Front Yard	75	50
2.	Minimum Side Yard (each)	50	25
	Abutting a Residential District	100	50
3.	Minimum Rear Yard	50	50
	Abutting a Residential District	100	50
4.	Minimum Parking and Loading Setbacks		
	Side and Rear Yards	10	10
	Abutting a Residential District	75	50
5.	Minimum Setbacks to Norwalk River		
	Building	80	NA
	Parking and Loading	60	NA
6.	Maximum Building Height (Stories/Feet)	4 / 55 (a) (b)	3/39 (a)
7.	Maximum Building Coverage (%)	40	40
8.	Maximum Site Coverage (%)	75	75
9.	Minimum Overlay or Lot Size (acres)	3	3
10.	Minimum Lot Frontage	150	150
11.	Minimum % of Affordable Housing Units	10 (c)	10 (c)

Notes

(a) Except as otherwise provided in Section 29-4.C.1.

Proposed Text Amendments

FDSPIN 141 DR LLC

October 15, 2021

- (b) **An additional 10' may be permitted to accommodate an additional One-Half Story.**
- (c) **Conforming to the requirements of Section 29-5.B.10. except for the minimum % in 29-5.B.10.e.**

Amend the Wilton Zoning Regulations (Section 29-8-A.8) to include the proposed DE-5R (Overlay) in the Alternative Signage Program. Additions are indicated in a **red and bold** font. Deletions are indicated with a ~~red strikethrough~~.

8. Alternative Signage Program for Large Developments: Due to the complexities of site design and occupancy associated with large developments such as shopping centers, office parks, **residential development in the DE-5R (Overlay)**, and mixed-use facilities, the owner of a unified ~~nonresidential~~ development containing more than 10,000 square feet of gross floor area may submit to the Commission, for approval of a Sign Permit, an "alternative signage program" differing from the standards contained in this section.
- a. Such signage program shall, at a minimum, contain the information required under 29-8.A.9.b. herein below for the issuance of Sign Permits.
 - b. In approving such an alternative signage program, the Commission shall find that:
 - (1) Such signage program would be consistent with the purpose of this section.
 - (2) Such signage program would result in a more comprehensive and attractive arrangement and display of signs than could otherwise be accomplished under the standards of this section.

Amend the Wilton Zoning Regulations (Section 29-8.B.5.a) to lower the parking ratio required for multi-family dwellings. Additions are indicated in a **red and bold** font. Deletions are indicated with a ~~red strikethrough~~.

5. Minimum Parking Requirements: The following requirements shall be considered the minimum number of parking spaces required for each use. Where the number of parking spaces is calculated to be a fraction, it shall be rounded up to the nearest whole number.

a. RESIDENTIAL USES; PUBLIC AND REQUIRED SEMI-PUBLIC USES	MINIMUM NUMBER OF SPACES REQUIRED
(1) Single-family dwellings	2 per dwelling unit, plus 1 per guest sleeping room for roomers and boarders
(2) Multi-family dwellings: Studio (efficiency) and one bedroom dwelling units and detached units	1- 5 per dwelling unit

Proposed Text Amendments

FDSPIN 141 DR LLC

October 15, 2021

~~One, t~~Two and three bedroom
dwelling units

2 per dwelling unit ~~plus 1 visitor
space per 2 dwelling units~~

Amend the Wilton Zoning Regulations (Section 29-8.B.8.e.6) to permit larger driveways for multi-family uses. Additions are indicated in a **red and bold** font. Deletions are indicated with a ~~red strikethrough~~.

- (6) The maximum driveway width shall be 30 feet, measured at and parallel to the street line, except for two-way access to nonresidential **and/or multi-family** uses with a raised island in the center, for which the maximum width shall be 44 feet.

The following area and bulk requirements shall be applicable to all developments in the DE-5R Designed Enterprise Residential District (Overlay) where at least 50% of the Gross Floor Area within the Overlay is dedicated to Residential use. Dimensions are in feet unless otherwise indicated.

	Lots West of Danbury Road	Lots East of Danbury Road	Existing DE-5	NOTES
1. Minimum Front Yard	75	50	50-100	The reduction allows buildings on the West side to be located further from the flood prone areas. Buildings on the East side are further limited in height where a smaller setback is appropriate.
2. Minimum Side Yard (each)	50	25	50	
Abutting a Residential District	100	50	100	Smaller setback is appropriate for the limited height of the East side buildings.
3. Minimum Rear Yard	50	50	50	No change.
Abutting a Residential District	100	50	100	Smaller setback is appropriate for the limited height of the East side buildings.
4. Minimum Parking and Loading Setbacks				
Side and Rear Yards	10	10	25	Smaller setback provides more design flexibility with appropriate screening/buffering requirements still in place.
Abutting a Residential District	75	50	75	
5. Minimum Setbacks to Norwalk River				
Building	80	NA	N/A	Creates an appropriate buffer redevelopment of parcels that currently maintain parking/buildings close to the river.
Parking and Loading	60	NA	N/A	
6. Maximum Building Height (Stories/Feet)	4 / 55 (a) (b)	3/39 (a)	3/39 - 4/55	Building height is intended to facilitate apartment style buildings on the West side and garden/town homes on the East side.
7. Maximum Building Coverage (%)	40	40	25	Increased coverage for residential uses helps incentivize redevelopment of these commercial properties, and provide the design flexibility necessary for residential development. Increased coverage is mitigated with new/best practices for stormwater retention and treatment.
8. Maximum Site Coverage (%)	75	75	50	
9. Minimum Overlay or Lot Size (acres)	3	3	5	Many lots currently zoned DE-5 do not meet this minimum lot size. Reduction opens up the potential for redevelopment.
10. Minimum Lot Frontage	150	150	150	No change.
11. Minimum % of Affordable Housing Units	10 (c)	10 (c)	N/A	Proposed 10% affordability, with reference to existing standards for review and implementation.
Notes				
(a)	Except as otherwise provided in Section 29-4.C.1.			
(b)	An additional '10' may be permitted to accommodate an additional One-Half Story.			
(c)	Conforming to the requirements of Section 29-5.B.10. except for the minimum % in 29-5.B.10.e.			
			N/A	Permits the ability for loft style units and articulated roof lines.

“Landscape Maintenance Plan”
for 141 Danbury Road - Wilton
Prepared by Environmental Land Solutions, LLC
Updated: July 28, 2021

The following Landscape Maintenance Plan will be followed after the landscape areas have been installed (Selected from the “NOFA Standards for Organic Land Care Practices for Design and Maintenance of Ecological Landscapes” 6th edition - January 2017. See the Connecticut (NOFA) Northeast Organic Farm Association website (www.ctnofa.org)).

1. *Mulch*: Mulch seeded areas to prevent erosion. Use shredded leaves, wood chips, and compost for mulch. Apply no more than a 2-3" layer of mulch at any one time. Replenish as needed. Avoid weed-barrier fabrics that prevent air and water from penetrating into the soil. Avoid the use of dyed mulch and pressure treated wood as mulch.
2. *Fertilizers*: Do not use synthetic pesticides or fertilizers. Use blended organic fertilizers
3. *Irrigation*: Irrigate, only when necessary, based on the soil types and plant needs. Time overhead irrigation early enough in the day to allow the foliage to dry before nightfall.
4. *Lawn*: Maintain lawns with a mowing height of 2" or higher.
5. *Wildlife Management*: Use soap or herbal or vegetable-based repellents as needed. Avoid traps that cause slow deaths, rodenticides, and predator urine.
6. *Disease Control*: Maintain health plants by maintaining proper soil pH, organic matter, and balanced nutrients. Prune dead, dying, damaged, infested, or disease branches from plants. Infested plant debris should be removed from the site.
7. *Herbicide and Pesticides in Wetland and Wetland Buffer Areas*: It is not anticipated that there will be a need for any applications of herbicide, pesticide or larvicide to be applied in the wetland or on-site watercourse. However, if an unforeseen circumstance arises that warrants the use of herbicide, pesticide or larvicide in these areas, the property manager will retain a licensed professional in the state of Connecticut to apply any Pesticides or Herbicides.

**WILTON PUBLIC WORKS
DEPARTMENT**

(203) 563-0153



**TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897**

TO: Mike Conklin,
Environmental Affairs

FROM: Frank Smeriglio, PE, *FS*,
Assistant Director of Public Works/Town Engineer

DATE: Thursday, October 14, 2021

Cc: Michael Wrinn – Director of Planning & Zoning

RE: **141 Danbury Road, Wilton CT –
WET #2714**

This is written in response to the review of supplemental information submitted along with your letters related to 141 Danbury Road – latest letter dated October 14, 2021. The Department of Public Works reviewed the plans and supplemental information as it pertains to stormwater relating to the Town Right of Way. The Department of Public Works also received the Third party Review for Onsite Stormwater Management Plan prepared by Alan L Pilch dated October 11, 2021. At this time, The Department of Public Works has no objections with this project continuing with the approval process with the following comments:

- 1) It shall also be noted that since the property abuts Route 7, the State DOT shall review the design plans as it relates to their roadway.
- 2) Other comments relating to site plan details, sewer system, etc shall be reviewed as part of the Planning & Zoning approval process.

15-0173-002
October 15, 2021

Mr. Michael Wrinn
Director of Planning and Land Use Management
Town of Wilton
141 Danbury Road,
Wilton, CT 06897

Re: **Planning and Zoning Submission**
Department of Public Works/Town Engineer Comments
SP #481 – FDSPIN 141 DR LLC
141 Danbury Road, Wilton, CT (Accessor's Map 70, Lot 2)

Dear Mr. Wrinn:

Thank you for the opportunity to address the DPW review comments prepared by Frank Smeriglio, dated 9/17/2021. The following summarizes their comments in *italic* and our responses in **bold** text. Should you require additional information or materials, please let us know.

Staff Comments:

General Items:

1. *"The project is subject to the drainage review as part of the Wilton's Environmental Affairs Wetland application."*

Response: So noted.

2. *"The project is subject to the Traffic Report approval by the Town's independent Consultant as well as the State's Review and approval."*

Response: So noted.

3. *"All proposed sidewalks along Route 7 shall be 5 feet wide and shall be in accordance with Town Standards and State's approval. Specific details to include are the rebar reinforcement details. Revise the grading between the existing curb line and proposed sidewalk to create positive slope towards the curb line."*

Response: The proposed site plan (C-101) has been revised to reflect a 5-foot wide sidewalk along Danbury Road.

4. *"All proposed State ROW work including but not limited to roadway, sidewalks, and drainage tie-in improvements shall be subject to the review and approval by the State DOT."*

Response: So noted.

5. *"Final Design plans shall be submitted to DPW for review prior to issuance of a Building Permit."*

Response: So noted.

6. *"Prior to the issuance of a Certificate of Occupancy, a certified as-built drawing and certified letter signed by a Professional Engineer indicating that all work was completed in accordance with the design plans shall be submitted to the Town of Wilton."*

Response: So noted.

Sanitary Sewer Related items:

7. *"The project is subject to obtaining approvals from Wilton's WPCA Commission to connect additional units into the sanitary sewer system."*

Response: So noted.

8. *"Project is subject to Norwalk WPCA's review and approval. Documents were forwarded on July 27, 2021."*

Response: So noted.

9. *"The project will be subject to Sewer Capital Assessment as required by the WPCA."*

Response: So noted.

10. *"Design Engineer shall provide sanitary flow calculations demonstrating that the Town's existing sanitary system can handle the proposed flows. Applicant shall install a sanitary flow meter at the manhole adjacent to the project so that a true evaluation of the existing v. proposed flow can be evaluated. Ideally, the meter should stay in the manhole for 4 weeks (excluding summer months). Refer to email to Lisa Fienberg of Carmody and John Block of Tighe & Bond dated June 14, 2021."*

Response: The requested metering is currently being coordinated, and the subsequent flow calculations and testing results will be provided to your office for review once completed to confirm the existing Town sewer has adequate capacity to accommodate proposed flows being generated from the site. We are happy to accept this as a condition of approval.

11. *"Design Engineer shall evaluate to connect the proposed lateral to the existing manhole with an outside drop connection. If the existing lateral is proposed to be used, it is recommended to install a manhole at the property line for ease of maintenance."*

Response: The drawings have been revised and a detail provided to show an outside drop manhole being proposed for the proposed service connection lateral.

12. *"Please note, any potential clogs in the lateral and/or sewer main connection points shall be the responsibility of the property owner to unclog. Property owner shall be responsible for maintenance of the lateral."*

Response: So noted.

13. *"All proposed sewer lines shall be air tested prior to sign off of a certificate of occupancy."*

Response: So noted.

14. *"The project will be subject to the final technical review by the WPCA."*

Response: So noted.

15. *"The above sewer related comments shall be considered preliminary."*

Response: So noted.

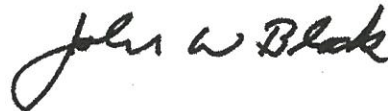
If you have any questions, please feel free to contact us at 860-852-5219.

Very truly yours,

TIGHE & BOND, INC.



Erik W. Lindquist, P.E., LEED AP
Senior Project Manager



John W. Block, P.E., L.S.
Senior Vice President

Section 4 Site Utility Services

4.1 Water and Fire Protection Services

Water and fire protection services to the site will be provided by The Aquarion Water Company (Aquarion). Services to the proposed buildings will be fed from the reported 12-inch main located in Danbury Road. Existing hydrants are located in the vicinity of the project site on the west and east sides of Danbury Road and a new hydrant is proposed at the southeast corner of the proposed building.

The estimated daily water demand for the proposed residential development is approximately 48,450 gallons per day (GPD). The estimated peak hour demand is 101 gallons per minute (GPM), determined using a maximum-to-average-day ratio of 3.0.

4.2 Electric Service

Electric service to the site is provided by Eversource Electric Company. Overhead primary service lines are located on the west side of Danbury Road and enter the site from the north.

4.3 Gas Service

Eversource Gas Company provides natural gas service to the project area. Eversource Gas Company maintains a 12-inch gas main located in Danbury Road.

Once the estimated peak demand for the total project is determined, Eversource Gas Company will provide a letter of service availability.

4.4 Tele-Data and Cable TV Services

Frontier Communications provides local and long-distance telephone service to the project area and also offers high speed internet and business data services. The existing network in this area is composed of a combination of overhead lines and underground ductbanks. The existing service is provided overhead on the north side of the building. There is also an existing utility pole on the project site along the southerly property line that provides overhead services for 131 Danbury Road. These overhead wires and the routing for this building will need to be relocated in order to accommodate the proposed site improvements. Easements are not identified on the record documents for this utility pole or the service lines.

Telephone service to the proposed development would be provided underground from a utility pole in the adjacent street. The exact location of the service connections will be coordinated with the utility owner during the final design process.

Altice USA provides cable service as well as high speed internet access to the project area. The majority of the existing network runs overhead and follows the same alignment as the telephone service.

15-0173-002A
October 15, 2021

Mr. Michael Wrinn
Planning and Land Use Management Director
Town of Wilton
238 Danbury Road
Wilton, CT 06897

Re: **Response to Peer Review Comments**
141 Danbury Road
Wilton, Connecticut

Dear Mr. Wrinn,

This letter is provided in response to the comments provided by NV5, dated September 29, 2021, concerning the proposed 141 Danbury Road development. This letter will serve as a response to address the comments received to support the Town approval process. The text below briefly describes the traffic review comments in italics with our responses in bold text.

Traffic Review Comment Responses

Comment A: Table 4 in the traffic impact statement should be revised to include the appropriate label for queue lengths.

Response: Tighe & Bond revised Table 4 attached to show that the queue lengths reported are 95th percentile queue lengths as summarized in the traffic statement.

Comment B: The project team provide justification for providing 1.81 parking spaces per dwelling unit for the proposed project, to ensure sufficient parking is provided on-site.

Response: The proposed parking ratio comports with legislation recently adopted by the Connecticut General Assembly capping the required number of parking spaces at 1.0 space per unit for units of one bedroom or less and 2.0 spaces per unit for units of 2 bedrooms or more.

In addition, the future parking demands associated with the proposed mid-rise multifamily development were reviewed based on industry data published in ITE Parking Generation (5th Edition, 2019). Based on ITE data, the average parking ratio for mid-rise multifamily housing is 1.31 parking spaces per dwelling unit. The proposed development includes 1.81 parking spaces per dwelling unit, which is well above the average parking ratio included in ITE Parking Generation.

Comment C: Stop bars and signs should be proposed on the parking circulation road to keep the entering lane from being blocked by queued vehicles, as shown on Sketch A.

Response: Tighe & Bond revised the Site Layout Plan (C-101) to include stop bars and stop signs on the parking circulation road as requested.

Comment D: The proposed sidewalk along Danbury Road (SR 7) should be increased in width to 5 ft within the site boundary.

Response: The Site Layout Plan (C-101) has been revised to provide 5 ft sidewalk along Danbury Road within the site boundary based on the previously provided review comments from Town staff.

Comment E: The project team should confirm where e-commerce deliveries are intended to occur, and a turning path for a delivery vehicle accessing the loading area and turning around to exit the site should be provided for review for the Town.

Response: The e-commerce delivery vehicles will either use the parking spaces in the front visitor parking area to the north of the site driveway or the designated loading area to the south side of the building. Vehicles in the front of the building will use the parking spaces to turn around or loop around the parking spaces in the northwestern parking area. The loading area and adjacent drive aisle will facilitate truck turnaround movements on the south side of the building.

Comment F: The project team should widen the proposed emergency vehicle driveway (west of the proposed building) to a minimum of 20 feet to ensure the turning path of an emergency vehicle would not encounter obstructions. Additionally, it is recommended to show an emergency vehicle path travelling clockwise around the building complex, to ensure an emergency design vehicle could drive through the site in either direction without encountering obstructions.

Response: The Site Layout Plan (C-101) has been revised to 20 feet wide per previous comments from the Town and the Fire Marshal has signed off on the current layout. An additional truck turning movement plan (C-103) has been added showing a clockwise movement around the building.

Comment G: The project team should consider pavement marking modifications or an adjustment of the west curb alignment on Danbury Road (SR 7) to provide buses a location to stop and avoid bus blockages of the southbound through lane. Also, confirm what bus service is intended to stop here (Norwalk Wheels, Merritt 7 shuttle bus, or other).

Response: The following response expands to address commentary provided in the 'Bus Stop' section of the NV5 letter along with the comment detailed above.

The project has considered site amenities to promote alternative travel modes. A widened sidewalk area for bus passengers to wait is proposed north of the driveway and connecting to the sidewalk path to the development main entrance and the sidewalk along the site frontage. A bus shelter will be provided in the widened area subject to the approval of the Connecticut Department of Transportation (CTDOT). Secured bicycle parking will also be provided within the garage.

Pavement marking modifications and/or adjustment of the west curbline are not recommended due to concerns with the safety of bus and pedestrian operations. School buses remain in the travel lane and will stop traffic in both directions to facilitate safe loading and unloading of students. In the unlikely event that a school bus utilized the pull-off, the additional pavement could entice vehicles to ignore the bus stopping safety system and continue along Danbury Road. Also, in discussions with local transit services, a bus pull-out is not preferred on major state routes, such as Danbury Road, as it is difficult for buses to re-enter the travel stream. The bus-pull off also widens the roadway cross section increasing pedestrian crossing distances and potentially inducing higher travel speeds on a roadway where travel speeds already exceed the posted speed limit. Finally, CTDOT advised the proposed driveway layout appears to be sufficient based upon a preliminary review and, in our experience with CTDOT, it is unlikely that they would approve a bus pull-out.

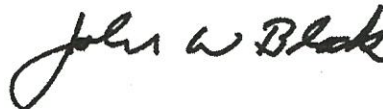
Norwalk Transit District (NTD) and Housatonic Area Regional Transit (HART) offer bus service along Danbury Road. NTD operates Wheels Route 4 between the Hub and Wilton Town Center that passes the Site along Danbury Road. The Wheels Route 4 runs once hourly from 6:20 AM to 7:15 PM, Monday through Friday. HART operates the 7 Link route between Danbury and Norwalk providing direct transit access to the Site along Danbury Road. Per NTD and HART policy, buses along these routes can stop to pick up passengers at any location along the route with an indication of a rider on the roadside in a safe location.

Sincerely,

TIGHE & BOND, INC.



Craig D. Yannes, PE, PTOE, RSP1
Project Manager



John W. Block, PE, L.S.
Senior Vice President

Attachment: Table 4 – Queue Summary Table
Site Plans (Dated Revised 10/15/2021; Under Separate Cover)

J:\F\F0173 Fuller\002 141 Danbury Road\Report_Evaluation\Traffic\Town Responses\2021_10-15 - 141 Danbury Rd Peer Review Comment Response.docx

TABLE 4Intersection Operation Summary - Vehicular 95th Percentile Queue (In Feet)

			Weekday Morning Peak Hour			Weekday Afternoon Peak Hour		
	Lane Use	Available Storage	2021 Existing	2023 Background	2023 Combined	2021 Existing	2023 Background	2023 Combined
Unsignalized TWSC - Danbury Road (U.S. Route 7) at 141 Danbury Road Driveway								
Danbury Road (U.S. Route 7)	NBL	>500	3	5	3	0	0	3
	EBLR	85	10	10	--	53	55	--
141 Danbury Road Driveway	EBL	60	--	--	33	--	--	23
	EBR	60	--	--	18	--	--	5