

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

WILTON PLANNING AND ZONING COMMISSION MINUTES*
APRIL 10, 2023 REGULAR MEETING
(CONDUCTED ELECTRONICALLY VIA ZOOM)

PRESENT: Chair Rick Tomasetti, Secretary Fanwick, Commissioners Florence Johnson, Matthew Murphy, Kenneth Hoffman, Jill Warren and Christopher Wilson.

ALSO PRESENT: Town Planner Michael Wrinn.

NOTIFIED INTENDED ABSENCE: Christopher Pagliaro and Melissa Rotini

REGULAR MEETING

- A. CALL TO ORDER at 7:16 PM.** by Mr. Tomasetti
- B. SEATING OF MEMBERS** – All 7 members present were seated by Mr. Tomasetti.
- C. PUBLIC HEARINGS**

- 1. **SP#503 – 503 – A Kids Place, LLC 486** Danbury Road for child day care
(continued from February 27, 2023)

Kevin O'Brien introduced Karen Cooke, the owner of the daycare and showed the changes from the last presentation – that the drop off area is now in the rear, reminded the Commission that this is a small boutique daycare, with 15 kids maximum, only 3 employees. Most drop off is staggered between 8:00 and 9:00 AM, children are walked into the building and signed in. Pickup is longer, between 4:00 and 6:00PM. He described the historical and current uses in the building. Said that ARB requested that the playground be moved back at least to the front of the building. Discussion over the fencing material.

Mr. O'Brien noted that they are still waiting on a health signoff.

Discussion on traffic flow and if spaces are shown correctly on the drawings. Commission would

like to see sidewalks along the rear parking spaces to facilitate parents getting children to the entrance. It was determined that the nearest 8 spaces to the sidewalk would need a new connecting sidewalk. Also, lighting is needed at the paths. additional plantings. Inlands Wetlands has issued a permit.

The meeting was opened to the public and the property owners James and Pamela confirmed that most office patients parked at the front of the building.

Barbara Geddis of Cannon Road supports the development, they have an interesting campus and voiced general concern over details on an adaptive use property.

Mr. Aris confirmed there are large trash containers towards the rear.

Motion was made by Mr. Murphy at 7:54 to close the hearing, seconded by Ms. Johnson, passed 7-0.

D. DISCUSSION AND POSSIBLE ACTION

1 # SP#503 – A Kids Place, LLC 486 Danbury Road for child day care (continued from February 27, 2023)

Discussion regarding adding additional conditions to the draft resolution, specifically that the Health/ Fire Dept approval be submitted, that the PVC fence mesh n wire be of a green or black color, that the playground be pushed back to the front of the house, that sidewalks from the 2 emergency door be created, leading to the existing main sidewalk, that a map showing compliant parking spaces (size, backup area), sidewalks be lighted, a dumpster enclosure be installed and that a sidewalk leading to the main sidewalk along the closest 8 spaces be installed.

Based on the proposed additional conditions, a motion was made by Mr. Murphy, seconded by Mr. Fanwick to approve the amended draft. The motion to approve the resolution as amended passed 7-0.

General Conditions:

1. This Resolution does not replace requirements for the applicant to obtain any other permits or licenses required by law or regulation by the Town of Wilton, such as, but not limited to: Zoning Permit, Sign Permit, Building Permit, Certificate of Zoning Compliance; or from the State of Connecticut or the Government of the United States. Obtaining such permits or licenses is the responsibility of the applicant.
2. In accordance with Section 8-3.(i) of the Connecticut General Statutes, all work or physical improvements required and/or authorized by the approved plan shall be completed within five years of the effective date of this resolution. This five-year period shall expire on March 26, 2026.
3. Any further site improvements on the property (other than those depicted on the approved

site plan) shall be subject to the approval of the Planning and Zoning staff or referred to the Planning and Zoning Commission for review and approval.

4. The applicant shall submit written approvals for the child day care center from the Health Department and the Fire Department prior to the issuance of a zoning permit.
5. The applicant shall revise the building plans to reflect the 2 new emergency side doors, as requested by the Fire Department, prior to the issuance of a zoning permit.
6. The applicant shall revise the site plan/survey to reflect a new sidewalk along the closest 8 parking spaces to connect to the existing sidewalk, code compliant parking spaces for the day care center, and to include a dumpster enclosure, prior to the issuance of a zoning permit.
7. The applicant's proposed split rail fencing with attached PVC mesh for the outdoor play area shall have the mesh between the railings, in either a green or black color.
8. The applicant shall file a Land Record Information Form, for **SP#503**, with the Town Clerk (form to be provided by the Planning and Zoning Department) prior to the issuance of a zoning permit. A copy of the filing shall be submitted to the Planning and Zoning staff prior to the issuance of a zoning permit.
9. Two (2) completed revised sets, (collated and bound) shall be submitted to the Commission's office for endorsement as "Final Approved Plan" by the Town Planner prior to the issuance of a zoning permit. Said plans shall include all revisions noted above and shall bear an original signature, seal and license number of the professional responsible for preparing each plan or portion of it. Said plans shall include the following notes:
 - a. "Pursuant to Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Special Permit shall be completed within five years after the approval of the plan. Said five-year period shall expire on May 5, 2028."
 - b. "For conditions of approval for **Special Permit #503**, see **Resolution #0423-503SP**."
10. The installation of any business signage shall be subject to the requirements of Section 29-5.C.5.f.(5) and shall be subject to the review and the issuance of a sign permit from the Zoning Enforcement Officer.

Prior to the issuance of a certificate of zoning compliance:

11. All elements of the building and site work plans shall be complete and the sidewalks shall be sufficiently illuminated, prior to the issuance of a certificate of zoning compliance.

-END RESOLUTION-

E. PRE-APPLICATION REVIEW

The following pre-application review was discussed under Section 29-11.A.3.b of the Zoning Regulations of the Town of Wilton & Section 7-159b of the CT General Statutes. No public comment will be taken.

ASML US, LLC – 77 Danbury Road – Pre-application overview of upcoming development projects, additions to existing buildings and proposed text changes.

The Commission welcomed Attorney Murphy represented the applicants and was accompanied by Patrick van der Boggaard Chief of NA Real Estate for ASML, John Block, PE, Craig Yannes, PE and Joe Canas, PE of Tighe and Bond and Attorney Dan Conant of Gregory and Adams.

The Commission conducted a nonbinding pre-application review of the applicants proposed building expansion and proposed text changes to allow those changes at the 77 Danbury Road site.

F. COMMUNICATIONS & REPORT FROM PLANNER AND/OR COMMISSION MEMBERS - DISCUSSION

1. SP #488 – Bark & Bone – 15 Cannon Road – Request to replace acoustical panel with solid wood fence.

Attorney David Waters, representing the applicants, described the requested change from an acoustical panel over a chain link fence to a solid board fence, Noted that the two pens in question are pens which only have 2 or 3 dogs in them =, they are not the general main pens.

Commission directed staff to draft resolution for next meeting approving the change but with a maximum of 3 dogs in each of the 2 pens.

2. Outdoor Dining – Continuation of outdoor dining after Public Act 22-1 expires. Mr. Wrinn stated this is the subject of a public hearing on April 24th, keeping what we have in place.

G. FUTURE AGENDA ITEMS

Mr. Wrinn listed the following items and the dates they are scheduled for a public hearing:

1. **SP#510, Wilton Land Conservation Trust**, 183 Ridgefield Road; Public Hearing April 24, 2023

2. **SP#511, The Lake Club**, 175 and 195 Thayer Pond Road, to modify court for tennis and pickleball; Public Hearing April 24, 2023
3. **SP #509 – i-Park Norwalk II**, One Cannondale Way, 120-room hotel; Public Hearing in May
4. **SPP – Wilton Center Lofts, LLC**, 12 Godfrey Place, 42-unit multi-family development under 8-30g; Public Hearing in May

H. APPROVAL OF MINUTES

1. March 27, 2023 – Regular Meeting
Mr. Tomasetti and Mr. Hoffman noted that they were absent from the meeting. Mr. Fanwick made a motion to approved the minutes, seconded by Mr. Murphy and the motion passed 5-0-2, with Mr. Tomasetti and Mr. Hoffman abstaining.

- I. ADJOURNMENT** Mr. Murphy made a motion, seconded by Mr. Fanwick, which carried 7-0, to adjourn the meeting at approximately 10:17 PM.

***MINUTES HAVE NOT BEEN REVIEWED BY THIS COMMISSION AND MAY BE SUBJECT TO REVISION IN FUTURE MINUTES. FULL AUDIO RECORDING OF MEETING IS AVAILABLE AT: <https://www.wiltonct.org/node/86/minutes-agendas>**