

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

WILTON PLANNING AND ZONING COMMISSION MINUTES*
FEBRUARY 12, 2024 REGULAR MEETING
(CONDUCTED ELECTRONICALLY VIA ZOOM)

PRESENT: Chairman Rick Tomasetti, Vice-Chairperson Melissa-Jean Rotini, Secretary Eric Fanwick, Commissioners Jill Warren, Mark Ahasic, Anthony Cenatiempo, Christopher Pagliaro, Christopher Wilson, Kenneth Hoffman

Also present was Town Planner Michael Wrinn

REGULAR MEETING

- A. CALL TO ORDER at 7:00 PM** by Chairman Tomasetti
- B. SEATING OF MEMBERS** – Members present were seated by Chairman Tomasetti
- C. PUBLIC HEARINGS**
 - 1. SDP#9-23 – Lupinski** – Continued to February 26th meeting
 - 2. REG#24-407 – EV Chargers**, regulation change prompted by a state regulation requiring that any commercial use or residential site with over thirty parking spaces requires ten percent of those spaces have EV Chargers.

Questions from the public hearing were addressed.

- 1.** New construction shall be defined as an addition or ground up construction.
- 2.** Designated spaces shall mean additional parking spaces required by the zoning regulations and does not require existing spaces on the site to be counted w/in the 10%.
- 3.** Charger locations shall be located in a desirable and convenient location allowing for the sharing of spaces for EV users, and ADA users shall be considered when allocating spaces.

There was no public comment and the public hearing was closed.

3. **SP#515 – 131 Danbury Wilton Dev AMS LLC (an affiliate of AMS Acquisitions, LLC)**, for Site Plan and Special Permit approval for a 208-unit, multi-family development and related site improvements, pursuant to the DE-5R zoning regulations.
4. **CHZ#23406, 131 Danbury Wilton Dev AMS LLC (an affiliate of AMS Acquisitions, LLC)**, for amendments to the Zoning Map to change zone from DE-5 (Design Enterprise District) to DE-5R overlay (Design Enterprise Residential District Overlay) as depicted on Zone Change Map prepared by SLR dated November 27, 2023.

Being the same applicant, SP#515 and CHZ#23406 were heard together.

This application is currently under review by the Inland Wetlands Commission which is having a third-party review being conducted pertaining to flood zones and cars if there is a flood. There is also a review being conducted by DPW which will be addressed by the applicant.

Mr. Craig Flaherty (Redniss & Mead, Inc.) introduced the presenters and gave an overview of the project, including the details of the development and the requested zoning change from DE-5 to DE-5R (Design Enterprise Residential District). He emphasized how this development would contribute to the ten-year goal of the POCD of creating smaller scale, lower cost, and/or multi-family housing serving young working-age and older populations.

Mr. Seelan Pather (Beinfeld Architecture) then addressed the building design, a two-story jewel box building in the front, creating the site's first impression and helping to control the visual scale of the four-story building behind.

Mr. Jason Williams (Landscape Architect, SLR Consulting) then discussed site elements, site layout, parking, and vehicular and pedestrian circulation. Mr. Andrew Guralski (SLR) then discussed utilities, flood plain, and S&E. Neil Olinski (SLR) then discussed traffic, including the entryway to the north, two-lane exit on the south, sight lines, fire truck access and maneuverability, and capacity analysis. Mr. Flaherty then presented a market capacity study, detailing the demand for this type of project.

Ms. Warren would like to see the sidewalk placed in the state right of way. She also expressed concern that the findings from the Cardinal report regarding flooding were not reflected during the presentation. Mr. Flaherty said that the applicant is willing to place the sidewalk in the right of way, and that the flood review would address the Cardinal report issues but has yet to be completed. Mr. Wilson asked about first responder access and the reinforcement of the soil in the rear of the building, access for trash removal vehicles, and water outflow capacity. Mr. Flaherty addressed the concerns. Mr. Cenatiempo asked for clarification of traffic conditions relating to 141 Danbury Road, and it was confirmed that the expected volume from that location was taken into account in the traffic analysis. Regarding left-turners exiting the site, no plants within the meadow will be higher than two feet, so sight lines will not be impacted. Speed bumps were suggested to limit speed within the site.

The public hearing will be kept open until the March 11 meeting.

D. DISCUSSION AND POSSIBLE ACTION ON PUBLIC MEETING ITEMS

1. REG#24-407 – EV Chargers

A motion was made to approve the draft resolution which then passed unanimously.

2. SP#515 – 131 Danbury Wilton Dev AMS LLC

3. CHZ#23406 – 131 Danbury Wilton Dev AMS LLC

Both of the above to be continued at the March 11 meeting.

E. ACCEPTANCE OF APPLICATIONS

1. Fuller Development, LLC – 64 Danbury Road – 93-unit multi-family development

Mr. Wrinn briefly detailed the three applications (SP#517, REG#24-408/CHZ#24407, and SDP#1-24).

2. ASML US, LLC – 20 Danbury Road – Conversion of loading dock to clean room

Mr. Wrinn briefly explained the details of the application and said that a public hearing has been scheduled for the next P&Z Commission meeting on February 26.

F. COMMUNICATIONS/WORK SESSION AND/OR ACTION

1. Outdoor Dining – Review of proposed regulation

Mr. Tomasetti suggested that there could be a distinction between a small establishment having a few tables and umbrellas, and a larger establishment which is looking to expand their establishment with additions such as tents, heaters, electrical, etc. He also asked if the process for smaller applicants could be streamlined via having design parameters, including safety, in place. Mr. Pagliaro said that for the rest of this year he would be in favor of continuing what is currently in place, provided there is compliance with building and health codes. The Commission expressed agreement that the development of design standards would be helpful.

It was agreed to by the Commission to hold a public hearing at the February 26th meeting to get feedback from the public and business owners.

2. Family and Group Daycare Homes – Review of proposed regulation

Mr. Wrinn detailed the necessary actions to comply with the Connecticut state statute. A comment was made about the lack of definition, and the complication, of the language. It was pointed out, however, that the language was reviewed by town counsel and found to comply with the state statute. Ms. Rotini went on record citing the unclear nature of the language, would like to amend the draft but recognizes that based on advice from town counsel that is not possible.

This will be an agenda item for the February 26th meeting.

3. SP#449 – Wilton Heights, LLC, 300 Danbury Road – request for extension of time - two (2) 3.5 story buildings; 148,000 SF, including 78 residential units

Mr. Kevin O'Brien represented owner. He stated that the Wetlands Commission granted a five-year extension from November, 2023. He would like to revise the Special Permit as feels the retail requirement is too significant. It was cited that blight will be an issue when the revised ordinance is enacted. He said that his two options are to knock down the existing buildings or paint them, and he believes leaving them in their current condition is better than an empty lot. Mr. Tomasetti stated that this would not be acted on at this meeting and would be included on the February 26th agenda. Mr. Wrinn is waiting on feedback from town council relating to extension length.

4. Pre-application review – Kimco Realty – 21-23 Road – Proposed redevelopment

Mr. Casey Healy (Gregory & Adams), Mr. Nick Brown (Kimco Realty), and Mr. Craig Flaherty (Redniss & Mead) introduced the project and noted that after 2022 it was put on hold as the Master Plan was being developed. They expressed that the finished product was beneficial to their development, and detailed how the site would be in compliance with the new codes.

The site is comprised of two buildings. Building A is retail and residential and fronts River Road and Village Drive. It has 10,000 SF of retail space and ~100 residential units. Building B, southwest of Building A, is all residential with one section being four stories and another being five stories and will have ~70 residential units. Retail is concentrated on Village Drive, with a hallmark space at the intersection of River Road.

Mr. Matt Renauld (Mahan Rykiel) then discussed the plans in more detail, including streetscape amenities, sidewalks, angled parking along River Road, and the move of retail to Village Drive allowing for a front entry for the residential amenities on River Road. Brian O'Connor (Cube3) then detailed the architectural features of the site, and the affects of the creation of texture, and rhythm, and scale in a palette of materials that doesn't need to be wildly divergent and is not monolithic. Overall, the theme of presentation is the creation of public engagement, with the hallmark being the plaza at the intersection of River Road and Village Drive. Relating to Building B, attention was paid to how to connect the residents to the vibrance and activity along River Road.

Some comments/questions from the Commission.

- The rear of Building B has yet to be articulated, and will be in future plans.
- Can there be greater connectivity to Building B.
- Concern with the amount of brick façade.
- If not a movie theater, could there be another form of non-retail amenity.
- The articulation of the curve and the reliance on the elevations.
- What is the actual function of the plaza, and will it be utilized as planned.

G. EXECUTIVE SESSION

- 1. Discussion** of possible appointments to the VDDAC and recommendations to the Board of Selectmen for the ARB

The executive session was not held, with the Commission discussing their preference to have a special meeting with the ARB/VDDAC members to discuss roles and expectations of the product they present to the Commission. This meeting will be held on February 21.

H. APPROVAL OF MINUTES – January 22, 2024 Regular Meeting

Minutes were approved unanimously

I. ADJOURNMENT

Respectfully submitted by Rich Callahan – Recording Secretary

***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-agenda>**