

PLANNING & ZONING
COMMISSION
Telephone (203) 563-0185
Fax (203) 563-0284



TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

**WILTON PLANNING & ZONING COMMISSION MINUTES *
NOVEMBER 25, 2019 REGULAR MEETING**

PRESENT: Chairman Scott Lawrence, Vice Chairman Rick Tomasetti, Secretary Doris Knapp, Commissioners Fanwick, Murphy, Pagliaro, Rotini, and Shiue

ABSENT: Bas Nabulsi (notified intended absence)

ALSO

PRESENT: Bob Nerney, Town Planner; Daphne White, Assistant Town Planner; Lorraine Russo, Recording Secretary; members of the press; and interested residents.

PUBLIC HEARINGS

1. **REG#19379: Applicant:** MNG Equities, LLC **Application:** To amend Section 29-4.D.4 pertaining to location, density, maximum building height, and affordable housing requirements in connection with Congregate Housing; Section 29-4.D.6 pertaining to location of Assisted Living Facilities; and Section 29-8.B.5 pertaining to Minimum Parking Requirements for Congregate Housing

Date of Commission Receipt:	9/9/2019
Initial Public Hearing Opening Date:	10/15/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 12/9/19 unless applicant consents to extension

The public hearing was called to order at approximately 7:15 PM. It was noted that the applicant had requested a continuance until December 9, 2019.

No public input was received.

At approximately 7:17 PM, the hearing was continued until December 9, 2019.

***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>**

A. REGULAR MEETING – CALL TO ORDER; SEATING OF MEMBERS

B. APPROVAL OF MINUTES

1. November 11, 2019 – Regular Meeting

MOTION was made by Mr. Fanwick, seconded by Mr. Murphy, and carried (8-0) to approve the minutes of November 11, 2019 as drafted.

C. ACCEPTANCE OF NEW APPLICATIONS

D. SITE DEVELOPMENT PLAN REVIEW

1. **SDP: Applicant:** The Riverbrook Regional Young Men’s Christian Association, Inc. d/b/a Wilton YMCA for Alternative Signage pursuant to Section 29-8.A.8 of Zoning Regulations; for property located at 404 Danbury Road

Casey Healy, attorney, and Erik Kaeyer, architect, represented the applicant.

The Commission reviewed the application for one additional wall sign, discussing measurements, siting, and lighting. Draft resolution #1119-3Z was then reviewed and amended.

MOTION was made by Mr. Murphy, seconded by Mr. Shiue, and carried unanimously (8-0) to adopt as amended Resolution **#1119-3Z for SDP (404 Danbury Road-Alternative Signage)**, effective December 6, 2019.

WHEREAS, the Wilton Planning and Zoning Commission has received an application from The Riverbrook Regional Young Men’s Christian Association, Inc. d/b/a Wilton YMCA for the installation of additional signage pursuant to the alternative signage program under Wilton Zoning Regulations in Section 29-8.A.8, for property located at 404 Danbury Road, located in Single-Family Residential “R-2A” District, known as Assessor’s Map#47, Lot#8, comprising 15.987 acres, owned by The Riverbrook Regional Young Men’s Christian Association, Inc. d/b/a Wilton YMCA and shown on the following plans:

Site Layout Plan– Prepared for Wilton Family YMCA, prepared by Erik A. Kaeyer, architect, dated October 16, 2019, drawn at a scale of 1” = 40’, sheet #A-1.

Exterior Elevations– Prepared for Wilton Family YMCA, prepared by Erik A. Kaeyer, architect, dated October 16, 2019, drawn at a scale as noted, sheet#A-2.

***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>**

Sign Permit-Revised Square Footage– Prepared for Wilton Family YMCA, prepared by KG&D, architects, dated November 22, 2019, no scale noted.

WHEREAS, the Wilton Planning and Zoning Commission accepted the Alternative Signage Program application on November 25, 2019; and

WHEREAS, the Wilton Planning and Zoning Commission finds the request to be consistent with Section 29-8.A.8 of the Zoning Regulations which provides an alternative approach in addressing signage needs for larger developments; and

WHEREAS, the Wilton Planning and Zoning Commission has determined that the application is in substantial compliance with the Wilton Zoning Regulations and achieves the desired objective of promoting design uniformity.

NOW THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** the Alternative Signage Program, for property located at 404 Danbury Road. This approval is effective December 6, 2019; subject to the following conditions:

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 December 6, 2024.
3. Any illumination of signage shall be by means of external, ground-mounted or down-mounted lighting only. The illumination of any other authorized signage (i.e. wall-mounted signs) shall be subject to the review and approval of the Commission and/or the Commission's staff.
4. Signage shall be installed in the location designated on the revised and approved signage plans as referenced above. Any additional signage, other than permissible temporary signs, shall be subject to Planning and Zoning Commission review and approval.

5. Two (2) completed sets, (collated and bound) shall be submitted to the Commission's office for endorsement as "Final Approved Plan" by the Town Planner. Said plans shall include all revisions noted above and shall bear an ORIGINAL signature, seal and license number of the professional responsible for preparing each plan or portion of it. Said plans shall include the following notes:
 - a. "In accordance with Section 8-3.(i) of the Connecticut General Statutes, all work in connection with this Sign Plan shall be completed within five years after the approval of the plan. Said five-year period shall expire on December 6, 2024."; and
 - b. "For conditions of approval for Sign Plan, see **Resolution #1119-3Z.**"

Site Specific Conditions:

6. This resolution authorizes one (1) additional, new sign. Permitted signage (and conditions pertaining thereto) include the following:
 - a. One (1) wall sign consisting of individual pin-mounted letters affixed to part of the western elevation near the new entry plaza. Signage shall consist of stainless steel letters, measuring 10'10" in length with a red and orange logo above on a white background, with a total height of 4'6", comprising a total of 49 square feet.
 - b. This sign shall be consistent with the signage represented on the submitted plans and shall not differ with respect to size, color, shape, design, materials or appearance. Said sign shall be located in the location as shown on the submitted site plan.

- END RESOLUTION -

E. PENDING APPLICATIONS

1. **SP#460: Applicant:** The Grumman Hill Montessori Association, Inc. **Application:** To amend SP#191C to allow preschool classes and grades Kindergarten through Eight, reflecting a grade extension from the previously approved "preschool classes and grades Kindergarten through Six"; for property located at 34 Whipple Road

The Commission reviewed and discussed draft resolution #1119-14P. Modifications were incorporated into the document.

MOTION was made by Mr. Fanwick, seconded by Ms. Knapp, and carried unanimously (8-0) to adopt as amended Resolution **#1119-14P** for **SP#460**, effective December 6, 2019.

WHEREAS, the Wilton Planning and Zoning Commission has received a Special Permit application (**SP#460**) to modify SP#191C (RES#400-10P), from The Grumman Hill Montessori Association, Inc. for the addition of two academic grades (grades seven and eight) at an existing pre-kindergarten through grade six private school, located at 34 Whipple Road; in a Single Family Residential “R-1A” District, Assessor’s Map#67, Lot#15, consisting of 7.59 acres, owned by The Grumman Hill Montessori Association, Inc. and shown on the plans entitled:

Vicinity Map - Prepared for Grumman Hill Montessori Association, Inc., dated November 8, 2016, drawn at a scale of 1” = 100’.

Zoning Location Survey - Prepared for Grumman Hill Montessori Association, Inc., Prepared by Douglas R. Faulds, land surveyor, dated November 8, 2016, drawn at a scale of 1” = 50’.

WHEREAS, the Wilton Planning and Zoning Commission opened a public hearing on October 15, 2019, continuing said hearing to October 28, 2019 and November 11, 2019 to receive comment from the public and has fully considered all evidence submitted at said hearing; and

WHEREAS, The Commission finds the school has historically functioned as a public elementary school and, subject to certain Town approvals and conditions, was converted to a pre-kindergarten through grade six private school in 1988; and

WHEREAS, the Wilton Health Department has preliminarily approved the establishment of the two additional grades; and

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

NOW THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** Special Permit **#460** to allow the addition of academic grades seven and eight to an existing private school; allowing the institution to function as a pre-kindergarten through grade eight school, for property located at 34 Whipple Road, effective December 6, 2019 subject to the following conditions:

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 December 6, 2024.
3. The applicant shall file a Land Record Information Form 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 staff, prior to the issuance of a zoning permit.
4. Two (2) completed final 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 December 6, 2024."
 - b. "For conditions of approval for Special Permit #460, see **Resolution #1119-14P.**"
5. The total student enrollment is currently capped at 230 students and the combined student enrollment of grades seven and eight (or the age-based equivalent) shall be restricted to not more than forty (40) total students for both grades.
6. The applicant shall report student enrollment on September 1st of every school year. Such enrollment reporting shall be categorized by grade level and student age.

Site Specific Conditions:

7. In order to ensure consistency with past approvals and historic use, the addition of grades seven and eight shall be subject to the applicant's continuation of a pre-kindergarten through grade six curriculum. Any change in operations, including the addition or deletion of grade levels, shall be subject to the Commission's review and approval of a special permit application.
8. Fourteen (14) head-in parking spaces currently exist along Whipple Road. In order to lessen congestion, such spaces shall be restricted for teacher/staff parking only and so designated by use of signage approved by the Wilton Planning and Zoning Department.
9. The school shall continue to utilize an individual (monitor) to direct traffic during periods of morning student drop-off and afternoon student pick-up.
10. Off-site parking arrangements, including the busing of people, shall be used when event

parking demand exceeds the on-site parking capacity for school-hosted events.

11. Vehicles shall be prohibited from parking on landscaped/lawn areas and non-established parking areas at all times.

Prior to the Issuance of a Certificate of Zoning Compliance:

12. The Commission's staff reserves the right to require an "as-built" survey confirming coverage. The "as-built" survey shall include the correct zoning district.

-END RESOLUTION-

2. **REG#19379: Applicant:** MNG Equities, LLC **Application:** To amend Section 29-4.D.4 pertaining to location, density, maximum building height, and affordable housing units in connection with Congregate Housing; Section 29-4.D.6 pertaining to location of Assisted Living Facilities; and Section 29-8.B.5 pertaining to Minimum Parking Requirements for Congregate Housing *[Application status noted above]*

TABLED.

F. COMMUNICATIONS AND REPORT FROM PLANNER AND/OR COMMISSION MEMBERS

An upcoming January Land Use Academy seminar and a December 5, 2019 SIMM (Schenck's Island/Merwin Meadows) meeting were noted.

Commissioners thanked Chairman Lawrence for his hard work and service during his tenure on the Commission, and Chairman Lawrence likewise thanked Mr. Nabulsi for his learned contributions to the Commission during his tenure.

G. FUTURE AGENDA ITEMS

1. **REG#19381: Applicant:** Dominick P. and Marie C. Agostin **Application:** To amend Section 29-5.C.6 of zoning regulations to allow professional offices for non-resident occupants on Old Ridgefield Road

Public hearing date scheduled for December 9, 2019.

H. UPCOMING MEETINGS

1. Monday, December 9, 2019 – Regular Meeting (Annex, Room A, 7:15 PM)
2. Monday, January 13, 2020 – Regular Meeting (Annex, Room A, 7:15 PM)

I. ADJOURNMENT

MOTION was made by Mr. Fanwick, seconded by Mr. Murphy, and carried unanimously (8-0) to adjourn at approximately 8:10 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary