

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

WILTON PLANNING AND ZONING COMMISSION MINUTES*
March 27, 2023 REGULAR MEETING
(CONDUCTED ELECTRONICALLY VIA ZOOM)

PRESENT: Vice-Chair Melissa Rotini, Secretary Fanwick, Commissioners, Johnson, Murphy, Pagliaro, Warren and Wilson.

NOTIFIED INTENDED ABSENCE: Chairman Tomasetti and Commissioner Hoffman

ALSO PRESENT: Town Planner, Michael Wrinn.

REGULAR MEETING

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

- 1. 1 - SP#506 – Grossman Companies, Inc,** 372, 378 & 380 Danbury Road for proposed parking lot adjacent to existing building

Attorney Jim Murphy introduced his team – Kathleen Royle from his office, Kate Throckmorton from ELS, Craig Yannes and Erik Lindquist from Tighe and Bond Engineers, Jesse Faneuil

Attorney Murphy described the project in general terms, went to the ARB and they suggested additional plantings. Inlands Wetlands has issued a permit.

Mr. Lindquist, PE, went through the specifics, that they were picking up a net of 92 additional spaces, added a bioswale down the middle of the parking lot, which then would go into a catch basin and a level spreader.

Ms. Throckmorton went over the landscaping, showed a revised plan adding planting in front. She noted all the plants were native, added 9 additional light poles and 2 lighting plans, with 1 at

1.0 foot-candles, the industry standard.

Mr. Yannes, PE, discussed the traffic when going from general office to 60,000 SF of medical, that the site will operate well in both the AM and PM peaks. He stated that the DOT would have to review after any approval by P&Z.

Ms. Rotini questioned why the drainage was only catching a portion of the first flush. Mr. Lindquist responded by stating they can't get much underground storage due to the proximity of the river and the high ground water table. Ms. Rotini questioned the environmental report and if there are any red flags. Mr. Lindquist responded that there are no issues with the drainage and Mr. Murphy said capping would stop any further ground water contamination.

Ms. Rotini asked about sidewalks and the need for additional out front, A discussion about the need, it was pointed out that there was a signalized intersection, and that should be where pedestrians are encourage to go to access the sidewalks on the west side of Danbury Road.

Discussion over fencing or landscaping to prevent pedestrians from leaving the parking lot to get to Danbury Road.

Discussion over the circulation pattern and the safety of some of the spaces in the new lot. It was suggested that the lot be made one way, with signage and an internal stop sign.

Hearing was closed at 8:06 PM on a motion by Mr. Murphy, seconded by Ms. Johnson, carried 7-0.

D. DISCUSSION AND POSSIBLE ACTION

1. SP#506 – Grossman Companies, Inc, 372, 378 & 380 Danbury Road for proposed parking lot adjacent to existing building

Discussion regarding adding additional conditions to the draft resolution, specifically that the Fire Marshal approval be submitted, that the applicant follow the consultant's recommendations relating to the environmental issues, that the State be consulted on the possibility of a striped cross-walk at the intersection, and that a one-way traffic flow be implemented at the new parking lot.

Based on the proposed 4 additional conditions, a motion was made by Mr. Murphy, seconded by Mr. Fanwick to approve the amended draft. The motion to approve as amended passed 7-0.

WHEREAS, the Wilton Planning and Zoning Commission has received Special Permit application **SP#506** from The Grossman Companies to convert 2 separate parcels into a parking lot to serve 372 Danbury Road, property located at 372, 378 & 380 Danbury Road, in the GB (General Business) Zoning District, Assessor's Map # 46, lots #10, #11 & #12, owned by Wilton GSE LLC, Wilton 378 LLC & Wilton 380 LLC, consisting of 7.08± acres overall and shown on the plans entitled:

Property Survey, entitled "Topography Survey Prepared for Seyfarth Shaw LLP 372, 378 & 380

Danbury Road, Wilton Connecticut” prepared by Brautigam Land Surveyors, P.C., Newtown CT, dated 9/9/22, revised to 10/24/22, at a scale of 1”=40”.

Site Plans: entitled “Overall Site Plan, Grossman Companies, Inc., 372, 378 & 380 Danbury Wilton CT”, Prepared by Tighe & Bond, Shelton, CT, dated 1/25/23; full set consisting of sheets C-100, C-101, C-200, C-300, C-301, C-302, C-400, c-401, C-402, LP-1, dated 1/25/23, as amended.

WHEREAS, the Wilton Planning and Zoning Commission conducted a public hearing on March 27, 2023, to receive comment from the applicant, the applicant’s professionals and public and at a meeting of March 27, 2023 fully considered and discussed all evidence; and

WHEREAS, the Wilton Planning and Zoning Commission has determined that the application is in substantial compliance with the Wilton Zoning Regulations and, in particular, those requirements governing development in the General Business zone;

NOW THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** Special Permit #506 to allow two properties to be converted to parking lots to serve an existing office building in order to provide additional parking o that office building at 372 Danbury Road; said properties located at 372, 378 & 380 Danbury Road, effective April 7, 2023, 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. A document shall be filed on the Land Records, approved by the Town Counsel, insuring compliance with Section 29-8.B.9.b of the Zoning Regulations which requires any parking on a separate lot provide arrangements to guarantee long-term access to and use of such spaces.
3. Any additional site work beyond the approved plans be submitted for review and approval.
4. A drainage maintenance plan acceptable to staff be submitted, prior to the issuance of a zoning permit.
5. The written approval of the Fire Marshall be submitted, prior to the issuance of a zoning permit.
6. All construction shall be in compliance with the environmental report filed by GZA, Glastonbury CT, which was made part of the record and environmental updates shall be required if different conditions are found at the site.

7. A one-way counterclockwise traffic flow shall be designed at the new parking lots and it shall be properly signed with pavement markings, one-way signs, and a stop sign on the last island coming out of the new parking lot.
8. The applicant shall explore with the State the possibility of adding a striped pedestrian cross-walk across Danbury Road at the traffic light and any communication from the State shall be provided to staff showing same.
9. The applicant shall file a Land Record Information Form with the Town Clerk (form to be provided by the Planning and Zoning Department) and a copy of the filed Land Record Information Form shall be submitted to the staff, prior to the issuance of a zoning permit.
10. The hours of operation of all lighting shall be in conformance with the Zoning Regulations
11. 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 April 7, 2028.
12. 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. 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 April 7, 2028."
 - b. "For conditions of approval for **Special Permit #506**, see **Resolution #0323-506SP.**"

Prior to the Issuance of a Certificate of Zoning Compliance:

13. Prior to occupancy, the applicant shall obtain a Zoning Certificate of Compliance from the Planning and Zoning Department and a Certificate of Occupancy from the Building Department.
14. A final as-built and engineering certification shall be provided before occupancy, confirming that the required improvements have been constructed in accordance with the approved plans.

-END RESOLUTION-

E. SITE DEVELOPMENT PLAN REVIEW- DISCUSSION/POSSIBLE ACTION

- 1. SDP # 3-23, Nuvance Health, 249 Danbury Road, alternative signage application.**

Mr. Wrinn introduced the proposal, which is a very simple one, adding a few directional signs and changing panels on the main ground sign. Tracy Diehl, representing the owners, shared her screen and show the plans.

After discussion, Mr. Wilson made a motion to approve them, as shown on the plans, seconded by Mr. Fanwick, motion passed 7-0.

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

1 – Verizon proposed cell tower for 180 School Road - Mr. Wrinn related that a full application has been made to the Siting Council and it may take 6 months or so for a decision.

2 – Work Session related to drainage and site coverage. Mr. Wrinn said that DPW would be working on some drainage standards which would relate to the drainage / pervious surface discussion that the Commission is looking at.

3 – Outdoor Dining – Mr. Wrinn started the discussion, saying the state orders which have allowed outdoor dining are ending and that he was sure that we wanted to continue allowing outdoor dining. Discussion over tents vs umbrellas, seasonal or year-round, allowing it in parking spaces. It was determined that staff should come up with a proposal that would allow what we have to continue and then create additional regulations over the summer

G. FUTURE AGENDA ITEMS

Mr. Wrinn quickly listed the items below for future action by the commission and would be on their schedule when all required signoffs and departmental reviews are submitted:

- 1. SP#503, A Kids Place 2, LLC, 436 Danbury Road, to allow a child day care facility under the adaptive use regulations (public hearing continued pending ARB review)**
- 2. SP#510, Wilton Land Conservation Trust, 183 Ridgefield Road, for a nature center**
- 3. SDP, Wilton Center Lofts LLC, 12 Godfrey Place, proposed multi-family development, 8-30g**
- 4. SP #509 – i-Park Norwalk II, One Cannondale Way, 120-room hotel**

5. **SP#511, The Lake Club**, 175 and 195 Thayer Pond Road, to modify court for tennis and pickleball

H. PRE-APPLICATION REVIEW

1. **Pre-Application, ASML, 77 Danbury Road**, future development, building additions and zoning amendments (April 10, 2023) - Mr. Wrinn noted that item will be on at the next meeting. ASML has a number of items they wish to discuss with the Commission and the items will be posted on the website.

I. APPROVAL OF MINUTES

1. March 13, 2023 – Regular Meeting

UPCOMING MEETINGS

1. Monday, April 10, 2023 – Regular (Electronic) Meeting, 7 PM
2. Monday, April 24, 2023 – Regular (Electronic) Meeting, 7 PM

J. ADJOURNMENT Mr. Murphy made a motion, seconded by Mr. Fanwick, which carried 7-0, to adjourn the meeting at approximately 8:34 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>**