

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

WILTON PLANNING AND ZONING COMMISSION MINUTES*
May 8, 2023 REGULAR MEETING
(CONDUCTED ELECTRONICALLY VIA ZOOM)

PRESENT: Chair Rick Tomasetti, Vice-Chair Rotini, Commissioners Murphy, Pagliaro, Warren and Wilson and Hoffman, Fanwick.

Also present was Town Planner Michael Wrinn. Commissioner Johnson arrived and was seated at 7:15

REGULAR MEETING

A. CALL TO ORDER at 7:05PM by Chair Tomasetti

B. SEATING OF MEMBERS – All 8 members present were seated by Chair Tomasetti.

C. PUBLIC HEARINGS

1. SDP # 4-23 – Wilton Lofts – Wilton Center Lofts, LLC - 12 Godfrey Place – 42 unit multi-family development pursuant to C.G.S. 8-30g.

Attorney Peter Gelderman of Berchem and Moses, Town Council, gave the Commission an overview of the 8-30g statute. Discussion over peer review and that this discussion was limited to this application, not a prior application.

Attorney Elizabeth Suchy introduced the project, and its location, noting it was a 10-minute walk to the train station and close to bus stops. 5-story building and will meet the affordable housing requirements of 8-30g. Regarding Town Departments, responses to DPW went back today, Police requesting a crosswalk across Hubbard to off-site parking spaces.

Mr. Shurr, PE of Redniss and Mead, reviewed the drainage.

Rich Granoff, Architect and partner in Wilton Lofts, LLC went over site plan and building, lighting, landscaping, and architectural design.

Steve Cipolla, traffic engineer of Hardey and Hanover, reviewed traffic, which is going to be very similar to the office building on the site, said they took no reductions given the location close to the train station, as they wanted to be conservative.

Attorney Suchy said they had nothing else.

Mr. Steven Mitchell of Mitchell Traffic Engineering, LLC, a consultant hired by the Commission to do a peer review of the submitted report, said the traffic data and generation numbers are in sync and that sidewalks are appropriate and beneficial. Concern about getting to the spaces across Hubbard Road. Number of parking spaces proposed is very low, given the larger 2 and 3 bedroom units, which create a larger demand. Zero visitor parking available and no alternates for additional parking, even if only occasional.

Mr. Tomasetti raised a number of questions regarding the layout of parking, doors against the travel way, end stalls will have a difficult time accessing, width of the traveled way in.

Discussion over loading, garbage pickup, moving and mail truck; concerns about garbage truck hanging out into street and backing out onto street, Mr. Tomasetti wanted confirmation of garage ceiling clearance. Asked if wall from storage room could be pushed back to allow additional turning room.

Ms. Warren asked if they are charging the affordable units for parking. Mr. Granoff responded that all parking is optional and all units pay the same.

General discussion over access to remote spaces, need a copy of the deed that show the parking agreement across the street, any attempts to get additional parking for surrounding properties. Discussion over bike storage

Mr. Tomasetti requested a list of similar projects with parking space numbers compared to this unit mix for comparison.

Mr. Pagliaro asked if the 2 ADA spaces are not used, does that mean the parking ration is less than 1 to 1? Mr. Granoff said since they are not providing visitor spaces, can use those spaces for a regular unit if he has no one in the complex that requires the ADA space.

Mr. Tomasetti would like to see this building in context with the surrounding buildings; better details of the eaves and bracket so they can review those architectural details. Feels this project really needs a loading zone, bollards inside the garage, questioned if the lighting study considered the lighting for the individual upper units?

Questions on deliveries, for instance Amazon. Mr. Granoff confirmed they just drop off under mailboxes, no delivery room. Questions on generator, screening of generator and transformer, and location of same. Ms. Rotini wondered if the building could be lowed by looking at the upper most attic area where the condensers are. Also asked where the fire connection is located.

Asked if the Fire Chief could comment on his ability to look at fighting a fire from an operation standpoint.

Discussion over compactor vs roll out for garbage, confirmed

Ms. Rotini wanted a review by Fire on the safety of E-bikes in the building.

The public hearing was continued until May 22, 2023.

The Chair called for a 5-minute recess.

At 9:17, the Chair called the meeting back to order after the short recess and reseated all the members.

2 - #SP 509 – i.Park – 1 Cannondale Way, i.Park Norwalk II, Inc – 120 room hotel

Mr. Wrinn gave an overview of the status of Department approvals, noting we are still awaiting additional information on parking, and approvals from the Fire Department and DPW.

Lynne Ward, representing the applicants, introduced the project; explained the additional projects they are working on, including the parking garage which will contain 407 parking spaces. Luz Losado, the applicant's architect, brought the Commission through the project.

Kyle Pustola, PE, started with the parking requirements for the project, noted that there is a requirement of 1435 spaces on the entire site, continued with the drainage and the compensatory storage that was required for being in a flood plain.

Discussion over pedestrian circulation on the site, and addition of pathways.

As there is additional information required from the applicant, this hearing will remain open and be heard at the May 22, 2023 meeting.

3 – REG #23398 Outdoor Dining – Continuation of outdoor dining

Mr. Wrinn explained that the Commission has allowed outdoor dining, starting with the state laws enacted during Covid, in order to help the local businesses. Noted that it has been very successful and we have seen very few problems, with the exception of a few not keeping the accessible travel lanes open. The extension would allow the continuation and future changes can be made, noting that some areas on Danbury Road were different than Wilton Center.

The item was opened up to the public.

Farah Masani of 21 Hubbard supported the idea and that we should continue it.

Barbra Geddis of Cannon Road said it was a good thing but needed some regulations on heaters and lighting.

A motion was made by Mr. Murphy to close the hearing, seconded by Mr. Hoffman, which passed 9-0.

D. DISCUSSION AND POSSIBLE ACTION

1. SP # 510 – Wilton Land Conservation Trust – 183 Ridgefield Road

The Commission reviewed the draft resolution for approval.

RESOLUTION # 0523– 510 SP **DRAFT May 8, 2023**

WHEREAS, the Wilton Planning and Zoning Commission (the Commission) has received Special Permit application **SP #510** from the applicant, The Wilton Land Conservation Trust, for passive recreation with associated site improvements and programming, at property located at 183 Ridgefield Road, in the R-2A Residential District, Assessor’s Map 89, Lot 18, owned by The Wilton Land Conservation Trust, consisting of 13.455 acres and shown on the plans entitled:

Property Survey, entitled “Property Survey Prepared for the Department of Energy and Environmental Protection, State of Connecticut, Showing Property of Wilton Land Conservation Trust, Revised Parcel A, 183 Old Ridgefield Road, Wilton CT ” Prepared by Stalker Land Surveying, Inc, Wilton, CT, dated 10/30/2020, at a scale of 1’=50”

Site Plans: entitled “Septic System / Site Development Plan 183 Ridgefield Road, Wilton, CT” Prepared by McChord Engineering Associates, Inc, Civil Engineers and Land Planners, Wilton, CT, dated March 31, 2022, revised to 2-21-23.

WHEREAS, the Commission conducted a public hearing on April 24, 2023 to receive comment and testimony from the applicant, their experts and the public and, at the meeting of May 8, 2023, fully considered and discussed all evidence.

WHEREAS, the Commission has determined that the application, with the attached conditions of approval, is in substantial compliance with the Wilton Zoning Regulations and, in particular, those requirements governing open space / passive recreational space uses in the R-2A zone.

WHEREAS, the special permit was reviewed and endorsed by the Architectural Review Board and the Commission has fully considered the findings of the Boards report.

NOW THEREFORE BE IT RESOLVED that the Commission **APPROVES** Special Permit **#510** to allow improvements at an open space parcel, including a barn, parking spaces and associated site improvements , on property located at 183 Ridgefield Road, effective May 19, 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, DPW, WPCA, 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. That the site lighting and building lighting be low level and properly shielded
3. That any additional site work beyond the approved plans, or changes to the building, be submitted for review and approval, prior to any changes being made.
4. That the recommendations made in the Wilton Department of Public Works Memo dated April 21, 2023 be incorporated into the plans and project (approval by the State of CT and the Wilton Traffic Authority for the curb cut; extension of the asphalt apron; no material to run from the driveway to the street; adding a “No Left Turn” sign at the exit and putting the Stormwater Maintenance Plan on the land records)
5. That a properly screened area be designated for the occasions when portable toilets are brought on the property for larger events and such location be approved by staff.
6. That the Land Trust shall make all efforts to reconstruct / restack the deteriorated section of the granite slab wall along Ridgefield Road.
7. That a final Health Department be submitted.
8. That any change in intensity from the proposed programming submitted be brought back to the Commission for approval (see attached page 24 of the application, entitled “ 183 Ridgefield Road use Matrix, Anticipated Uses”).
9. 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 May 19, 2028.
10. 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.

11. 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 May 19, 2028.
 - b. "For conditions of approval for Special Permit #510, see **Resolution #0523 – 510SP.**"

Prior to the Issuance of a Certificate of Zoning Compliance:

12. 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.
13. Prior to the issuance of a Zoning Certificate of Compliance, an engineering certification shall be provided, certifying that the required improvements have been correctly installed in accordance with approved design plans and Town standards.

-END RESOLUTION-

Ms. Rotini made a motion to add the proposed programming table provided by the applicants (page 24 of the application, entitled " 183 Ridgefield Road use Matrix, Anticipated Uses") to the resolution.

A motion was made on this revised resolution by Ms. Rotini to approve the resolution, seconded by Mr. Fanwick, which passed 8-0-1, with Ms. Johnson abstaining.

2. SDP # 4-23 – Wilton Center Lofts, LLC – 12 Godfrey Place

This public hearing was continued to May 12, 2023

3. SP# 509 – i.Park Norwalk II, LLC – One Cannondale Way

The public hearing was continued to May 12, 2023

4. Reg # 22398 – Outdoor Dining

A motion was made by Mr. Murphy, seconded by Mr. Hoffman, to approve the draft resolution to continue outdoor dining. Motion carried 9-0.

**#0423-1 REG
DRAFT May 8, 2023**

WHEREAS, the Wilton Planning and Zoning Commission has proposed zoning amendment #23398 to allow the extension of temporary outdoor dining under CGS Section 8-1cc;

WHEREAS, the Wilton Planning and Zoning Commission has held a public hearing on the proposal on April 25th, 2023 and May 8, 2023 and considered all evidence and testimony submitted;

WHEREAS the proposed regulation amendment to allow the continuation of outdoor dining and outdoor retail is consistent with the goal of furthering a strong community and allowing maximum opportunity for Wilton restaurants and businesses to succeed during the pandemic recovery in the Town of Wilton;

NOW, THEREFORE BE IT RESOLVED that the Wilton Planning and Zoning Commission **APPROVES** amendment #23398, effective May 19, 2023, as follows:

Replace the existing three sections of the Wilton Zoning Regulations:

Section 29-6.C.5.c, Permitted Accessory Uses in the Wilton Center Zone,
Section 29-6.A.4.f, Permitted Accessory Uses in the Design Retail Business zone and
Section 29-6.B.4.d, Permitted Accessory Uses in the General Business Zone

with the following language, using the same numbering:

Continuation of Temporary Outdoor Dining:

Any restaurant operating with an approved temporary outdoor dining permit issued by the Town of Wilton as of the effective date of this amendment may continue to operate and use the area approved and as shown in that permit provided an additional application shall be made to the Planning and Zoning Officer for any expansion of a previously approved outdoor dining. Any new temporary outdoor dining will require a new application and permit in order to operate.

The use shall at all times continue to be used in accordance with all federal, state and local guidelines and requirements,

Such extension shall not be interpreted to create any nonconforming right and further provided that the operation of the Temporary Outdoor dining between now and the expiration of this regulation shall be deemed to be a complete and total waiver of nonconforming rights under any local, state or federal authority.

F. PRE-APPLICATION REVIEW

1. Pre-Application Review – 88 Danbury Road, site work and parking waiver discussion –

Attorney Elizabeth Suchy introduced the item, in which the applicants wish to adaptively reuse an existing office building for medical use. The challenge is that medical requires an additional parking requirement above office use. Peter Romano, PE of LandTech in Westport, detained the building and proposed uses on the floors. Conversation in regards to common lobby areas and larger spaces dedicated to larger testing machines, which meant fewer people than a typical medical office exam room. Dr Protomastro of Orthro CT explained who they were and why this building is important to them. After discussion, the Commission thought that the arguments made sense and that the staff should work with the applicants to come up with new zoning language separating diagnostic parking needs vs general medical.

G. FUTURE AGENDA ITEMS

Mr. Wrinn noted that a new application for ASML regulation changes had just come in, with an anticipated public hearing in June.

In addition, regarding The Lake Club application on Thayer Pond Road, the staff is engaging a peer review sound consultant; application will be back on when that report is ready.

H. APPROVAL OF MINUTES

1. April 24, 2023 – Regular Meeting –

Commissioner Hoffman made a motion to approved the minutes as amended, seconded by Commissioner Murphy. Motion passed 7-0-2, with Mr. Fanwick and Ms. Johnson abstaining

I. ADJOURNMENT Mr. Wilson made a motion, seconded by Mr. Fanwick, to adjourn the meeting at approximately 10:23 PM, which carried 9-0.

Wilton P & Z Commission - Meeting Minutes – May 8, 2023 Regular Meeting

***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>**