

PLANNING & ZONING
COMMISSION
Telephone (203) 563-0185
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TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

**WILTON PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING
AGENDA**

DATE: Monday, March 11, 2019
TIME: 7:15 P.M.
PLACE: Wilton Town Hall Annex, Meeting Room A, 238 Danbury Road, Wilton, CT 06897

PUBLIC HEARINGS

At this time interested persons may be heard after being recognized by the Chair of the Commission. See last page of this Agenda for more information on the Public Hearing process.

1. **SP#452: Applicant:** Friends of Ambler Farm, Inc. **Application:** To allow modifications of certain conditions of special permit approval SP#288D, specifically pertaining to noise standards; requirements for special event permits; clarification of definition of livestock so as to include pigs; operating conditions pertaining to events of 50 people or fewer; inclusion of certain uses presently prohibited, including antique shows, craft shows, weddings and other private parties; removal of conditions limiting evening usage to Friends of Ambler Farm or other non-profit entities; and modification of certain evening restrictions pertaining to use, allowable organizations, number of attendees and frequency of events; for property located at 257 Hurlbutt Street

Date of Commission Receipt:	1/14/2019
Initial Public Hearing Opening Date:	2/11/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 03/11/2019 unless applicant consents to extension.

2. **REG#18375: Applicant:** 200 Danbury Road, LLC **Application:** To amend Section 29-6.E.6 and Section 29-6.E.12 of Wilton Zoning Regulations to increase maximum building height and maximum floor area ratio for properties with frontage on Route 7, served by sewer and water, with a minimum lot size of 2 acres and a minimum lot frontage and width of 200 feet, when located in the Design Retail Business (DRB) Zoning District.

Date of Commission Receipt:	12/10/2018
Initial Public Hearing Opening Date:	1/28/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 3/25/2019 unless applicant consents to extension.

CONTINUED.

3. **SP#453: Applicant: O/Brien/SSS Investment LP Application:** To allow addition of new building consisting of three one-bedroom apartments and six additional parking spaces, where office space and one residential apartment currently exist, pursuant to Section 29-5.C.5 of zoning regulations (Adaptive &se); for property located at 487 Danbury Road.

Date of Commission Receipt:	1/28/2019
Initial Public Hearing Opening Date:	2/25/2019
Public Hearing Status:	Public comment period is open. Public hearing must close by 3/25/2019 unless applicant consents to extension.

CONTINUED.

REGULAR MEETING

**A. CALL TO ORDER
SEATING OF MEMBERS**

B. APPROVAL OF MINUTES

1. February 25, 2019 – Regular Meeting
2. February 27, 2019 – Special Meeting

C. ACCEPTANCE OF NEW APPLICATIONS

D. SITE DEVELOPMENT PLAN REVIEW

E. PENDING APPLICATIONS

1. **SP#452: Applicant: Friends of Ambler Farm, Inc. Application:** To allow modifications of certain conditions of special permit approval SP#288D, specifically pertaining to noise standards; requirements for special event permits; clarification of definition of livestock so as to include pigs; operating conditions pertaining to events of 50 people or fewer; inclusion of certain uses presently prohibited, including antique shows, craft shows, weddings and other private parties; removal of conditions limiting evening usage to Friends of Ambler Farm or other non-profit entities; and modification of certain evening restrictions pertaining to use, allowable organizations, number of attendees and frequency of events; for property located at 257 Hurlbutt Street
[Application status noted above]
2. **REG#18375: Applicant: 200 Danbury Road, LLC Application:** To amend Section 29-6.E.6 and Section 29-6.E.12 of Wilton Zoning Regulations to increase maximum building height and maximum floor area ratio for properties with frontage on Route 7, served by sewer and water, with a minimum lot size of 2 acres and a minimum lot frontage and width of 200 feet, when located in the Design Retail Business (DRB) Zoning District.
[Application status noted above]

3. **SP#453: Applicant: O'Brien/SSS Investment LP Application:** To allow addition of new building consisting of three one-bedroom apartments and six additional parking spaces, where office space and one residential apartment currently exist, pursuant to Section 29-5.C.5 of zoning regulations (Adaptive &se); for property located at 487 Danbury Road. *[Application status noted above]*

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

1. Discussion of submission requirements for zoning applications
2. Discussion pertaining to the feasibility of creating an Architectural Review Board (ARB)

G. PLAN OF CONSERVATION AND DEVELOPMENT (POCD) UPDATES

1. Continuing discussion pertaining to the POCD (as needed)

H. FUTURE AGENDA ITEMS

1. **SP#454: Applicant: Adams & Ruxton Construction Application:** To remove existing teller window and replace with new ATM, including new exterior lighting and new ATM canopy cover; for property located at 117 Old Ridgefield Road; owned by Bank of America

Public Hearing scheduled for Monday, March 25, 2019

I. UPCOMING MEETINGS

1. Monday, March 18, 2019 – Special Meeting (Annex, Room A, 7:15 PM) – POCD draft review
2. Monday, March 25, 2019 – Regular Meeting (Annex, Room A, 7:15 PM)

J. ADJOURNMENT

How the Public Hearing Process Works

Pursuant to Connecticut General Statutes, applications that require a public hearing are administered in three distinct phases. It is important to recognize that public comment, either written or oral communication, cannot be received by the Commission once a public hearing is closed.

1. *Application Receipt Phase:* An application to the Commission is considered “received” at the first regularly-scheduled meeting of the Commission following submittal of the application to the town offices or thirty-five days; whichever date occurs first. The public hearing must open within sixty-five (65) days following the application receipt date.
2. *Public Hearing Phase:* Once opened, a public hearing must be heard and close within thirty-five (35) days. This stage is when the applicant presents the application to the Commission and interested party are allowed to comment on application. Again, public comment cannot be received once the hearing is closed.
3. *Deliberations Phase:* Once a public hearing closes, the Commission is provided sixty-five (65) days to deliberate the merits of an application and render a decision. Though public comment is not taken at this point, these meetings are open to public.

Time Extensions: Note, the Connecticut General Statutes provides up to sixty-five (65) days of additional extension time which can be applied to any of the three referenced phases. This is to encourage a complete and thorough review of applications before the Commission and to allow for full public participation.

Continuances: Public hearing matters are subject to requests for continuation or withdrawal at any time prior to a scheduled hearing. Inquiries regarding late changes may be made to the Planning and Zoning Department during business hours at (203) 563-0185.

SP452 - Ambler Farm

CHANGES FROM ORIGINAL SPECIAL PERMIT

RECEIVED
MAR 7 2019
PLANNING & ZONING

General Conditions Pertaining to Use and Event Scheduling at Ambler Farm:

1. ~~There shall be no outdoor amplification of any sound nor shall the facility utilize any type of outdoor public address system.~~ The emission of noise, as measured at the parcel property lines, shall not exceed 55 dBA between the hours of 7:00 a.m. and 10:00 p.m. or 45 dBA between the hours of 10:00 p.m. and 7:00 a.m. Large outdoor gatherings of people and placement of tents shall be restricted to the northeast sector of the site. The precise location of outdoor gatherings and tents shall be subject to staff review and delineated on the final site development plan.
2. The definition of livestock as set forth in the Wilton Zoning Regulations shall include pigs and pigs shall be considered a domestic farm animal as set forth in the definition of a Farm in the Regulations.
3. ~~4~~ All events and meetings shall be limited to an on-site attendance of not more than 200 people at any given time. The following three (3) one-day events shall be excluded from this requirement;
 - a. Ambler Farms Day
 - b. Spring/Summer Event (to be determined)
 - c. Fall Event (to be determined)
4. Daytime events catering to fewer than fifty (50) guests shall not be limited in number. No more than 30 daytime events catering to more than fifty (50) guests shall be held in any calendar year. All daytime events other than events or programs operated by Friends of Ambler Farm, Inc., shall be limited to fewer than one hundred twenty (120) guests.
5. ~~5~~ Lawn parking areas shall be inspected on a routine basis. The applicant shall be responsible for the repair of any damaged, worn or rutted lawn parking areas. All repair work shall commence immediately following damage, weather permitting.
6. ~~6~~ The following measures shall be employed for any event involving the closure of driveways on Hurlbutt Street:
 - a. The applicant shall station personnel at the driveway entrance to allow for the passing accessible parking spaces located adjacent to the white barn.
 - b. All other vehicles (excluding emergency vehicles) shall not be permitted to travel beyond the upper parking/field area for any event involving the closure of driveways on Hurlbutt Street.
7. ~~7~~ Use of the facilities shall terminate at 11:00 p.m. and all lighting, excluding security lighting, shall be extinguished no later than 11:30 p.m. Events shall not be scheduled before 8:00 a.m. on weekdays and 9:00 a.m. on weekends.
8. ~~8~~ The exterior lighting located along the entry driveway shall be connected to a separate switch so as to control and limit the amount of lighting for various events. The rear lawn parking area shall be illuminated by temporary lighting when necessary.
9. ~~9~~ The following uses, events and/or activities shall be deemed prohibited at all times;

a. Antique Shows where goods are offered for sale to the general public, provided this shall not limit the display of antiques for public viewing.

b. Craft Shows, where goods are offered for sale to the general public, provided this shall not limit the display of crafts for public viewing.

c. Circuses

d. Carnivals

e. Convention Center

f. Catering Hall

~~g. Weddings~~

~~h. Other private parties~~

~~10~~13. The number of seats within the white barn shall be limited as follows:

a. Auditorium Seating Arrangement - 145

b. Round Table Seating Arrangement – 120

c. Rectangular Table Seating Arrangement – 100

Night Time Conditions Pertaining to Use and Event Scheduling at Ambler Farm:

14. For the purpose of this resolution, “evening” shall be defined as the period of time extending between sunset and 11:00 p.m. (Note, pursuant to condition #7, the facility shall not remain open past 11:00 p.m.).

15. Temporary lighting for use in the parking area in the designated lawn/field area shall be required based on the following schedule:

Number of People	Number of Parking Spaces	Lighting Requirements
51-100 people	30-58 spaces	One temporary light pole placed in the top third of the field and supplemented with spot lights on the Red Barn.
101-150 people	59-88 spaces	Two temporary light poles placed in the top and middle third of the field and supplemented with spot lights on the Red Barn.

151-200+ people	89-140 spaces	Three temporary light poles placed evenly in the top, middle and rear portions of the field and supplemented with spot lights on the Red Barn.
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136. For the purpose of this resolution, “non-profit” entities shall be defined as any entity or group not operated for profit. Nonprofit entities are further defined as Wilton community-based organizations or local chapters of national organizations (i.e. Kiwanis) which have been formed for charitable, educational or public service purposes. Examples of organizations satisfying this definition of nonprofit entities that are not 501c3 entities are: Animals in Distress, Association of Fundraising Professions, Cat Rescue, CERT, Encore Club, high school reunions, Hurlbutt Street Schoolhouse, Moms Club, Newcomers Club, Wilton Soccer Association, Wilton Democratic Town Committee, Wilton Republican Town Committee, Wilton Warriors Lacrosse, Wilton Children’s Theatre, Wilton Football Boosters Club, The Grange, Treblemakers, WelcomeWagon, Wildlife in Crisis, Wilton Basketball Association, Wilton Chamber of Commerce, Wilton Garden Club, Wilton Kiwanis and Wilton Playshop.

~~14. All evening use of the premises shall be restricted to those events and meetings affiliated with the Friends of Ambler Farm or other non-profit entities.~~

1517. The parking lot serving the adjoining soccer fields shall not be used for any evening events.

168. Evening usage of the Ambler Farm facilities shall be limited to the following:

~~a. Four weekday evening meetings a month of the board of Friends of Ambler Farm or committees of that board, provided that additional meetings may be held if the rear parking area is not illuminated.~~

~~b. Not more than two other organization meetings or classes of non-profit entities per month, held in the evening with attendance of not more than 30 persons.~~

a. There shall be no limitation on the frequency of meetings or events for non-profit entities or the Friends of Ambler Farm, Inc., provided, however, any event occurring during the months of January, February, and March, or, such other times the lawn parking is unavailable, shall be limited to no more than 30 persons.

~~e.b. No more than six larger ten evening events per year, such as lectures, sponsored by non-profit entities and catering to not more than 120 people guests. Said events shall be prohibited during the months of January, February and March.~~

~~d. No more than six weekend evening social events per year sponsored by non-profit entities, restricted to the months of May through October.~~

e.c. Overnight scout campouts or campouts associated with other organized youth groups restricted to not more than four times a year and limited to not more than 100 people. Jamborees shall be deemed prohibited.

fd. Town of Wilton Parks and Recreation Department programs/events restricted to not more than 4 times a year; including but not limited to the Santa Claus hayride.

ge. Non-profit green sale extending into evening hours during the month of December.

179. Except as herein modified, all conditions of Special Permit SP#288C as set forth in Resolution #0505-7P dated May 9, 2005 and Resolution #0906-12P dated September 26, 2006 and Resolution #1207-20P, dated December 10, 2007 shall remain in effect."

SP452 - Ambler Farm

CHANGES FROM STATEMENT OF PROPOSED CHANGES SUBMITTED WITH APPLICATION

RECEIVED

MAR 7 2019

PLANNING & ZONING

Statement of Proposed Changes

The Applicant, Friends of Ambler Farm, Inc., hereby proposes the section entitled "General Conditions Concerning Pertaining to Use Event Scheduling at Ambler Farm", as set forth in the existing special permit, be amended to read as follows:

"General Conditions Pertaining to Use and Event Scheduling at Ambler Farm:

1. The emission of noise, as measured at the parcel property lines, shall ~~comply with the noise ordinances of the Town of Wilton~~ not exceed 55 dBA between the hours of 7:00 a.m. and 10:00 p.m. or 45 dBA between the hours of 10:00 p.m. and 7:00 a.m. Large outdoor gatherings of people and placement of tents shall be restricted to the northeast sector of the site. The precise location of outdoor gatherings and tents shall be subject to staff review and delineated on the final site development plan.
- ~~2. Persons or organizations using the property in accordance with this Special Permit and the Regulations shall be exempt from obtaining a Special Events Permit from the Town for such use.~~
- ~~3.~~ 3. The definition of livestock as set forth in the Wilton Zoning Regulations shall include pigs and pigs shall be considered a domestic farm animal as set forth in the definition of a Farm in the Regulations.
- ~~4.~~ 4. All events and meetings shall be limited to an on-site attendance of not more than 200 people at any given time. The following three (3) one-day events shall be excluded from this requirement;
 - a. Ambler Farm Day
 - b. Spring/Summer Event (to be determined)
 - c. Fall Event (to be determined)
- ~~5.~~ 4. Daytime events catering to fewer than fifty (50) ~~people-guests~~ shall not be ~~restricted~~ limited in number. No more than 30 daytime events catering to more than fifty (50) ~~people-guests~~ shall be held in any calendar year ~~without staff approval~~. All daytime events other than events or programs operated by Friends of Ambler Farm, Inc., shall be limited to fewer than one hundred twenty (120) guests.
- ~~6.~~ 5. Lawn parking areas shall be inspected on a routine basis. The applicant shall be responsible for the repair of any damaged, worn or rutted lawn parking areas. All repair work shall commence immediately following damage, weather permitting.
- ~~7.~~ 6. The following measures shall be employed for any event involving the closure of driveways on Hurlbutt Street:
 - a. The applicant shall station personnel at the driveway entrance to allow for the passing accessible parking spaces located adjacent to the white barn.
 - b. All other vehicles (excluding emergency vehicles) shall not be permitted to travel beyond the upper parking/field area for any event involving the closure of driveways on Hurlbutt Street.
- ~~8.~~ 7. Use of the facilities shall terminate at 11:00 p.m. and all lighting, excluding security lighting,

shall be extinguished no later than 11:30 p.m. Events shall not be scheduled before 8:00 a.m. on weekdays and 9:00 a.m. on weekends.

- 8. ~~9.~~ The exterior lighting located along the entry driveway shall be connected to a separate switch so as to control and limit the amount of lighting for various events. The rear lawn parking area shall be illuminated by temporary lighting when necessary.
- 9. ~~10.~~ The following uses, events and/or activities shall be deemed prohibited at all times;

- a. ~~Antique Shows where goods are offered for sale to the general public, provided this shall not limit the display of antiques for public viewing.~~

- b. ~~Craft Shows, where goods are offered for sale to the general public, provided this shall not limit the display of crafts for public viewing.~~

- ~~a.c.~~ Circuses

- ~~b.d.~~ Carnivals

- ~~e.e.~~ Convention Center

- ~~d.f.~~ Catering Hall

13. The number of seats within the white barn shall be limited as follows:

- a. Auditorium Seating Arrangement - 145
- b. Round Table Seating Arrangement – 120
- c. Rectangular Table Seating Arrangement – 100

Night Time Conditions Pertaining to Use and Event Scheduling at Ambler Farm:

14. For the purpose of this resolution, “evening” shall be defined as the period of time extending between sunset and 11:00 p.m. (Note, pursuant to condition #7, the facility shall not remain open past 11:00 p.m.).

15. Temporary lighting for use in the parking area in the designated lawn/field area shall be required based on the following schedule:

Number of People	Number of Parking Spaces	Lighting Requirements
51-100 people	30-58 spaces	One temporary light pole placed in the top third of the field and supplemented with spot lights on the Red Barn.

101-150 people	59-88 spaces	Two temporary light poles placed in the top and middle third of the field and supplemented with spot lights on the Red Barn.
151-200+ people	89-140 spaces	Three temporary light poles placed evenly in the top, middle and rear portions of the field and supplemented with spot lights on the Red Barn.

16. For the purpose of this resolution, "non-profit" entities shall be defined as any entity or group not operated for profit. Nonprofit entities are further defined as Wilton community-based organizations or local chapters of national organizations (i.e. Kiwanis) which have been formed for charitable, educational or public service purposes. Examples of organizations satisfying this definition of nonprofit entities that are not 501c3 entities are: Animals in Distress, Association of Fundraising Professions, Cat Rescue, CERT, Encore Club, high school reunions, Hurlbutt Street Schoolhouse, Moms Club, Newcomers Club, Wilton Soccer Association, Wilton Democratic Town Committee, Wilton Republican Town Committee, Wilton Warriors Lacrosse, Wilton Children's Theatre, Wilton Football Boosters Club, The Grange, Treblemakers, WelcomeWagon, Wildlife in Crisis, Wilton Basketball Association, Wilton Chamber of Commerce, Wilton Garden Club, Wilton Kiwanis and Wilton Playshop.

17. The parking lot serving the adjoining soccer fields shall not be used for any evening events.

18. Evening usage of the Ambler Farm facilities shall be limited to the following:

- a. There shall be no limitation on the frequency of meetings or events for non-profit entities or the Friends of Ambler Farm, Inc., provided, however, any event occurring during the months of January, February, and March, or, such other times the lawn parking is unavailable, shall be limited to no more than 30 persons.
- b. No more than ten ~~larger~~ evening events per year catering to not more than ~~200 people~~ 120 guests. Said events shall be prohibited during the months of January, February and March.
- c. Overnight scout campouts or campouts associated with other organized youth groups restricted to not more than four times a year and limited to not more than 100 people. Jamborees shall be deemed prohibited.
- d. Town of Wilton Parks and Recreation Department programs/events restricted to not more than 4 times a year; including but not limited to the Santa Claus hayride.
- e. Non-profit green sale extending into evening hours during the month of December.

19. Except as herein modified, all conditions of Special Permit SP#288C as set forth in Resolution #0505-7P dated May 9, 2005 and Resolution #0906-12P dated September 26, 2006 and Resolution #1207-20P, dated December 10, 2007 shall remain in effect."