

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



TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

MEMORANDUM

July 15, 2020

TO: Lynne Vanderslice, First Selectwoman

FROM: Michael E. Wrinn, Town Planner 

RE: State Land – DOT Letter of June 30, 2020 – File # 161-100-003A

Lynne – You had asked me to look into this and see what it was about. I spoke with the writer of the letter, Kristi-Lyn Sadosky this morning. She relayed that this was property which the State has taken some time ago (1979-1981 time frame) for easements as part of the Federal project to build the bridge across Danbury Road adjacent to this location.

They now desire to turn the land back to the Town as it is no longer needed as part of their project. She said that was standard procedure with these takings.

I took a look at the property proposed to be turned back, which is adjacent to the former Gregory sawmill property (now Premier Firewood). We have a recent survey of that property dated February 25, 2019, which confirms that none of the elements of the sawmill are on this property that the State is proposing to give back. I went out and it appears no encroachments onto the State land have occurred.

I would see this as something that the Board of Selectmen would start with and they would refer it to the Planning and Zoning for a 8-24 review for Municipal Improvements. As there is drainage involved, DPW should also be consulted.

I am available for a conversation at any time.

Sec. 8-24. Municipal improvements. No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a report.

Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the commission pursuant to this section. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefor shall be recorded and transmitted to the legislative body of the municipality. A proposal disapproved by the commission shall be adopted by the municipality or, in the case of disapproval of a proposal by the commission subsequent to final action by a municipality approving an appropriation for the proposal and the method of financing of such appropriation, such final action shall be effective, only after the subsequent approval of the proposal by (A) a two-thirds vote of the town council where one exists, or a majority vote of those present and voting in an annual or special town meeting, or (B) a two-thirds vote of the representative town meeting or city council or the warden and burgesses, as the case may be. The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads.

(1949 Rev., S. 857; 1959, P.A. 679, S. 5; 1963, P.A. 617; 1971, P.A. 862, S. 7; P.A. 85-365, S. 1, 2; P.A. 09-92, S. 1.)

History: 1959 act substituted legislative body for enumerated persons and entities and added abandonment of streets etc. to categories of proposals; 1963 act rephrased first sentence; 1971 act changed from 30 days to 35 days the period within which commission must report on proposal or failure to do so will be considered approval; P.A. 85-365 made a variety of technical changes and inserted provisions concerning approval of appropriations prior to commission action and specifying that section does not apply to maintenance or repair of existing property, public ways or buildings; P.A. 09-92 added provision re exemption for resurfacing of roads, effective July 1, 2009.

Cited. 148 C. 517; 149 C. 719; 153 C. 194. Rezoning of an area approved by zoning commission but opposed by planning commission, reversed by courts where "transportation, water and sewerage" was lacking as planning commission could refuse approval also of new facilities for area. 154 C. 202, 210. Only two acts of planning board are binding without further action by other municipal agencies; designation of and assessments for municipal improvements and action on subdivision plan. 159 C. 1. Cited. Id., 423; 160 C. 295. Whether town has abandoned a particular street, thus necessitating referral to the town planning and zoning commission, is a question of fact, to be determined from the circumstances. 174 C. 282. Legislature intended that coastal site plan review be part of planning or zoning application or referral under section as listed in Sec. 22a-105(b) and not a separate review; report issued by planning and zoning commission pursuant to such referral is purely advisory and is not appealable. 266 C. 338.



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-2407

June 30, 2020

Ms. Lynne Vanderslice
First Selectwoman
Wilton Town Hall
238 Danbury Road
Wilton, Connecticut 06897

Dear Selectwoman Vanderslice:

Subject: State Land – Wilton
File No.: 161-100-003A

Please be advised that the Department of Transportation (Department) has received final approval to release the subject property and is now ready to close.

Enclosed is a copy of the executed deed, map, and two copies of the closing report. Please sign both copies of the closing report and return them to this office.

Upon receipt of the above, the Department will send you by Express Mail, the original executed deed, map, a copy of the closing report, and the conveyance tax form for you to file in the Wilton Town Hall.

Please contact me at the address or telephone number listed above if you have any questions or concerns.

Very truly yours,

Kristi-Lyn Sadosky
Property Agent I
Property Management Section
Division of Rights of Way

Enclosures

Kristi-Lyn, SADOSKY@CT.GOV
362-8178

PRESBYTERY DANBURY ROAD (U.S. ROUTE 71)

RELEASE AREA - APPROX. 71' FOR HIGHWAY PURPOSES

- 1. PROPERTY OWNERSHIP SUBJECT TO RECORDS IN THE RECORDS OF THE RECORDS DEPARTMENT OF THE STATE OF CONNECTICUT.
- 2. PROPERTY SUBJECT TO RECORDS IN THE RECORDS DEPARTMENT OF THE STATE OF CONNECTICUT.
- 3. PROPERTY SUBJECT TO RECORDS IN THE RECORDS DEPARTMENT OF THE STATE OF CONNECTICUT.
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- 9. PROPERTY SUBJECT TO RECORDS IN THE RECORDS DEPARTMENT OF THE STATE OF CONNECTICUT.
- 10. PROPERTY SUBJECT TO RECORDS IN THE RECORDS DEPARTMENT OF THE STATE OF CONNECTICUT.

COMM. D.O.T.
ORIGINAL USE OR
POLYESTER FILM

DATE	EXTENSION	NO. OF

COMPLETION PLAN
TOWN OF WILTON
HAD SHOWING LAND RELEASED TO
TOWN OF WILTON
THE STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
DANBURY ROAD (U.S. ROUTE 71) @
PRESBYTERY ROAD

PROJECT NO. 100-100-100
SHEET NO. 100-100-100
DATE 10-10-100

DATE 10-10-100
SCALE 1" = 100'