

**PLANNING AND ZONING COMMISSION**  
**ADOPTED RESOLUTION**  
**June 23, 2020**

Application Number: Site Plan Application #284-B/Special Permit  
Land Filling, Excavation & Regrading Application #477

Street Address: 395 Mansfield Avenue  
Assessor's Map #2 Lot #8

Name and Address of Applicant: Ox Ridge Elementary School Building Committee  
c/o Town of Darien  
2 Renshaw Road  
Darien, CT 06820

Name and Address of Property Owner: Town of Darien  
2 Renshaw Road  
Darien, CT 06820

Name and Address of Applicant's Representative: Amy Samuelson, AIA, LEED AP  
The S/L/A/M Collaborative  
80 Glastonbury Boulevard  
Glastonbury, CT 06033

Activity Being Applied For: Proposal to raze the existing elementary school and construct a new replacement school with associated parking, landscaping and stormwater management on the same property, and to perform related site development activities.

Property Location: The subject property is located on the west side of Mansfield Avenue approximately 1,350 feet north of its intersection with Middlesex Road,

Zones: R-2, Municipal Use Overlay (MU)

Date of Public Hearing: May 12, 2020 continued to May 19, 2020 and continued again to May 26, 2020

Deliberations Held: June 9 & 23, 2020

Time and Place: 8:00 P.M. Room 119 Town Hall and GoToMeeting (online)

Publication of Hearing Notices

Dates: April 30 & May 7, 2020

Newspaper: Darien Times

Date of Action: June 23, 2020

Action: APPROVED WITH CONDITIONS

Scheduled Date of Publication of Action:  
July 2, 2020

Newspaper: Darien Times

The Commission has conducted its review and findings on the bases that:

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- the proposed use and activities must comply with all provisions of Sections 404, 420, 850, 1000 and 1020 of the Darien Zoning Regulations for the Commission to approve this project.
- the size, nature, and intensity of the proposed use and activities are described in detail in the application, the submitted development plans, and the statements of the applicant's representatives whose testimony is contained in the record of the public hearing, all of which material is incorporated by reference.
- each member of the Commission voting on this matter is personally acquainted with the site and its immediate environs.

Following careful review of the submitted application materials and related analyses, the Commission finds:

1. The applicant, the Ox Ridge Elementary School Building Committee, proposes to raze the existing elementary school and construct a new replacement school with associated parking, landscaping and stormwater management, and to perform related site development activities. The existing school at the site is planned to remain fully operational through the 2020-2021 school year, and throughout the construction process.
2. The 9.86+/- acre subject property is characterized by sloping topography from the east to west side of the site, with limited wetland areas on the west side (rear) of the property (northwest and southwest portions). The elevations from the east to the west side of the site differ by 60+/- feet—the elevation by Mansfield Avenue is elevation 245+/-, and the elevation by the western property line is elevation 185+/- . The property is bounded on all sides by single-family residential homes, and by Mansfield Avenue to the east, a large open space parcel to the southwest, and a tributary to the Stony Brook to the west.
3. On February 25, 2020, the Planning & Zoning Commission held an informal meeting with representatives of the Ox Ridge Elementary School Building Committee to better understand the project, and to give informal feedback. The Commission then held three nights of public hearings on this application. At the first hearing on May 12, a general overview of the project was given. Focused discussion occurred regarding traffic and parking, with other topics including stormwater management, briefly touched upon. Some public comment was received at that meeting. At the continuation of the public hearing on May 19, discussion again focused on traffic and parking, as well as phasing and site logistics. The final public hearing night was on May 26, which focused almost exclusively on stormwater management and drainage, with fencing and planting also discussed, along with public comment.
4. The new two-story school will have a floor area of 109,000+/- square feet and a building footprint of 80,000+/- square feet. The school is generally to be laid out with the Early Learning Program (ELP) wing to the east, the K-5 floors to the west, and the gymnasium, cafeteria, and assembly areas to the north. The main entrance to the school and parent drop-off area is to be located at the northeast side of the building, whereas a secondary entrance and school bus drop-

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off/pick-up area is to be located on the north and northwest side of the building. The building's design creates an internal/enclosed, open-air courtyard at the center of the main building. A service/loading area and refuse disposal area is proposed at the west (rear) side of the school building adjacent to the cafeteria. Parking areas are to be located to the north and east of the new building. A new open space and playground area is to be created on the west side of the site, with a second smaller playground area on the east side of the building to serve the ELP population of the school. All proposed improvements to the property have been designed to be fully compliant with the Americans with Disabilities Act (ADA) as well as with the State of Connecticut School Construction Standards and Guidelines.

5. The single point of ingress/egress to the subject property is to remain as it presently exists on the northeast side of the site, with a driveway extending to/from Mansfield Avenue. Modifications to traffic signal timing are proposed to improve traffic operations at the entrance to the site.
6. The new school has been designed for 578 total students--428 students within 24 classrooms, and an additional 135 Early Learning Program (ELP), students, within 9 ELP classrooms and a maximum of 15 ELP students per classroom. All of the Darien School District's ELP programs are to be consolidated into the new Ox Ridge Elementary School beginning in 2023. Based on projections from the Darien Board of Education and education specifications for the project, there are anticipated to be a total of 578 students as well as 96 teachers and 26 administrative staff and other support staff.

MUNICIPAL USE OVERLAY ZONE (MU)

7. The subject property was placed into the Municipal Use Overlay Zone as part of adopted Amendments to the Darien Zoning Map (COZM #3-2019), put forth by the Darien Planning & Zoning Commission, as provided for within Section 420 of the Zoning Regulations.
8. The Commission finds that the Municipal Use Overlay Zone is intended to provide greater flexibility for municipal uses or for uses that are generally conducted by or provided by the Town of Darien to serve a public purpose. These uses frequently are one-of-a-kind uses in the Town.
9. The Commission notes that public schools are as-of-right uses pursuant to Section 402(b) of the Zoning Regulations, however, use of the Municipal Use Overlay Zone provisions under Section 420 *et. seq.* would allow the school as a Special Permit use under Section 422(a).
10. Certain aspects of the proposal are using the flexibility allowed in the Municipal Use Overlay Zone. This includes flexibility on setbacks and building height. A Site Layout Plan, last revised 5/22/2020, Sheet L201, was submitted for the record showing the R-2 setbacks as well as the MU overlay zone setbacks. That Plan includes a Zoning Data Table showing compliance with the Regulations.
11. When fully built out, the proposal will be fully compliant with the area and bulk standards for the R-2 Residential Zone and the Municipal Use Overlay Zone (MU). A generator is proposed eight feet from the south property line, in a location which complies with the MU Zone setback.

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The Commission finds that this is acceptable, since the adjacent area is a dedicated open space parcel. The proposed average building height for the school (35.33+/- feet) exceeds the 30-foot maximum for the R-2 Zone, but is less than the 45-foot maximum permitted by the MU Overlay Zone (from the average grade to the highest point of the roof).

**PUBLIC COMMENT RECEIVED**

12. Several members of the public spoke during the public hearing on the application regarding issues and concerns about stormwater management, landscaping/screening, fencing, and building height, the location of the ELP playground, traffic, parking, and screening of mechanical equipment proposed for the roof of the school building.

**OTHER LOCAL REVIEWS & APPROVALS**

13. A required Mandatory Referral report (MR #2-2019) under Section 8-24 of the Connecticut General Statutes was issued on June 11, 2019 for substantial improvements to the subject property. The Planning & Zoning Commission's report, noting consistency with the 2016 Town Plan of Conservation & Development, is hereby incorporated by reference.
14. On March 4, 2020, The Environmental Protection Commission (EPC) granted approval with stipulations for proposed work within the 50-foot regulated area around the wetlands on the site, as part of EPC #4-2020. That approval is hereby incorporated by reference.
15. The Architectural Review Board (ARB) reviewed the architectural plans for the site at their meeting on April 29, 2020 as part of ARB #06-2020, and sent a letter for the record dated May 6, 2020, issuing a favorable report for the proposal. That report is hereby incorporated by reference.
16. The Commission finds that a zoning variance for building coverage is not required from the Zoning Board of Appeals (ZBA) pursuant to a decision by Town Planning & Zoning staff, and detailed in a May 18, 2020 memorandum from Mr. David Keating, Zoning Enforcement Officer (ZEO), which has been included as part of the record in the matter. The lot coverage exceedance would be limited to 2.7 percent for approximately 14 months. Originally, it was believed that a variance would be needed, but a change in the phasing plan and construction schedule resulted in a determination that a variance was not necessary.

**TRAFFIC OPERATIONS & SITE ACCESS**

17. A Traffic Impact Study, dated March 20, 2020, prepared on behalf of the applicant by Tighe & Bond, was submitted as part of the original application submittal. A revised Study was submitted for the record, in response to the Commission's peer review traffic engineer, on May 13, 2020.
18. On May 12, 2020, during the public hearing on the matter, Mr. Craig Yannes, of Tighe & Bond, the applicant's traffic engineer, reviewed the proposed roadway access and operations plan for the site, including proposed improvements to the existing traffic signal timing at the driveway entrance to the site on Mansfield Avenue. It was noted that traffic counts for the project were

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completed during November 2019, prior to COVID-19 related impacts to the school district, and the temporary closing of the school from mid-March through the end of the school year.

19. During the AM arrival peak (8am to 9am) under proposed conditions, there would be heavy southbound traffic, extending to Half Mile Road (to the north), with occasional queues of up to 10 vehicles on the northbound side of Mansfield Avenue. Queues of 3 to 4 vehicles exiting the school driveway during these times are expected. During the PM dismissal peaks (3pm to 4pm), traffic volumes would be moderate, with no significant queues expected entering or exiting the driveway to the school. Early Learning Program (ELP) student arrival and dismissal is not expected to overlap with Mansfield Avenue peak traffic flows.
20. Parent and bus traffic arrival and dismissal periods are expected to peak around 8:45am and 3:35pm, respectively. Delays are anticipated to last approximately 15 to 20 minutes before dissipating. Queues from school bus and parent pick-up/drop-off operations are expected to be better contained within the site, thus not resulting in impacts to the operation of the signalized intersection on Mansfield Avenue. The Commission finds that this is an improvement over existing conditions at the site.
21. As noted by the applicant's traffic expert, based on anticipated K-5 enrollment growth (428 proposed anticipated enrollment versus 393 existing enrollment), an additional 26 vehicle trips are expected to be generated during the AM peak, with an additional 22 trips generated during the PM peak.
22. On May 12, 2020, during the public hearing on the matter, Mr. Michael Galante, of Frederick P. Clark Associates / Hardesty & Hanover, the Commission's peer review traffic engineer, presented his April 20, 2020 report to the Commission. He noted that he was in agreement with the applicant's findings and proposed improvements to the signalized intersection.
23. The Commission finds that with the recommended signal timing optimizations, the anticipated minor PM to moderate AM impacts to Levels of Service and queues as a result of the operation of the new school are acceptable, and are an improvement over existing conditions at the site.
24. The Commission finds, based on expert testimony presented during the public hearing, that the necessary space within the right-of-way of Mansfield Avenue (State Route 124) does not exist to implement any physical improvements to the intersection or roadway, including widening of the road.

#### ONSITE PARKING & CIRCULATION

25. Based on anticipated need, a total of 140 parking spaces are proposed on-site, including 4 standard and 1 van handicapped accessible parking spaces. The proposed parking lots are split into two parking areas – an upper parking area, with 60 proposed parking spaces for the ELP portion of the school and for visitors, and a lower parking area, with 80 proposed parking spaces for faculty and staff. The upper parking area, adjacent to and in front of the main entrance to the school also includes a proposed parent drop-off area that would allow for 14 parallel queueing spaces along a sidewalk. The parent drop-off would be an assisted drop-off with school staff

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present. There is also a proposed internal sidewalk in the upper lot allowing for pedestrian access from the parking lot to the front entrance of the school building. According to the applicant, all onsite walkways and paths have been designed to be fully ADA compliant.

26. The proposed lower parking lot is combined with the bus drop-off/pick-up area adjacent to the north and northwest side of the school building. The proposed bus loop will be able to accommodate the stacking of up to 9 full sized school busses at any one time. It is anticipated that there will be 1 to 2 busses for the ELP program which will queue in positions #1 and #2 of the bus loop (northeast corner of the school). It was noted that the majority of ELP students would be dropped off by parents at the main entrance to the school. There will be three waves for bus drop-off in the morning, with 4 busses coming in each wave (total of 12 busses servicing the school). All school bus drop-offs will enter through the side (secondary) entrance to the school building. Similar to the upper parking lot, there is a proposed internal sidewalk in the lot allowing for staff/pedestrian access from the parking lot to the secondary entrance to the building.
27. For special event parking (such as school open houses or concerts), the potential exists for an additional 64 parallel parking spaces along the entrance drive, drop off areas and interior circulation to the site. These additional 64 parking spaces could potentially allow for the parking of up to 204 vehicles onsite. The Commission finds that these additional spaces are only appropriate for periodic special events and are predicated on the assumptions of monitored parking and circulation by the appropriate authorities to ensure safety.
28. The Commission finds that it would be appropriate to stagger periodic special events planned for the school year, by grade level and start/end times to lessen parking impacts on the site. The Commission further finds that to more effectively manage traffic, parking, and safety conditions during special events, it may be appropriate for the school district to hire police officers and/or private parking attendants to manage vehicular and pedestrian activity onsite.
29. At the public hearing, Mr. Galante said that the applicant had submitted a Traffic Control Signing Plan and that he recommended several additional 'Stop', 'Do Not Enter', and 'No Parking' signs within the site. He submitted a letter dated May 18, 2020 for the record, detailing his recommendations. He agreed with the applicant's parking assessment, noting that the proposed 140 parking spaces would be sufficient to accommodate the day-to-day operations of the school, including for special events when the additional 64 overflow spaces are considered.
30. The Commission finds that the layout of the parking and circulation areas on the site will allow for the efficient maneuverability of emergency vehicles throughout the site, including fire apparatus up to 44 feet in length.
31. The proposed service area at the rear of the school would be able to accommodate up to a 30-foot box truck. Trucks larger than 30 feet in length would be required to park in the adjacent bus loop and then haul items to and from the service area.

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LANDSCAPING, SCREENING, FENCING & LIGHTING

32. The Commission finds that the majority of the existing vegetation around the perimeter of the site would be preserved and would be supplemented with additional screening plantings.
33. An arborist, prior to any site work, will review methods and procedures related to temporary tree and plant protection and will coordinate with the construction manager to ensure no damage.
34. Per the submitted April 2019 survey of the subject property, a split rail fence is currently in place along most of the eastern side of the site (the 383 Mansfield Avenue property boundary). A portion of that fence is on the property line and another portion, closer to the 381 Mansfield Avenue property line, encroaches into the subject property.
35. A 6-foot black vinyl coated chain link fence is proposed to be installed around the perimeter of the property. The fencing is proposed to be installed generally two feet into the site, where existing split rail fencing is on the property line. In the case where existing split rail fencing is on the school property, the fencing is proposed to be removed and replaced with the new perimeter fencing on the property line. In certain areas the new chain link fence will tie into existing stockade fences along property lines. The plans are clear that the proposed new fencing shall be field-located prior to installation. The Commission finds that this may assist in minimizing tree cutting in the direct vicinity of property lines.
36. Additional evergreen screen plantings would be installed adjacent to the proposed ELP playground based on comments received from neighboring property owners.
37. The ELP playground is proposed to be located approximately 25 feet from the eastern property line. The Commission finds that the location of one of the currently existing playgrounds for the school on the southeastern portion of the site is also located about 25 feet from the eastern property line. The new ELP playground is not expected to encroach on neighboring property owners any more than in the existing condition.
38. All mechanical equipment on the roof of the building is proposed to be screened from view with roof screens setback approximately 20 to 30 feet from the parapet of the roof.
39. All new lighting within the parking areas and on the building is proposed as high efficiency LED full cut-off lighting. There would be zero light spill at all property boundaries (0.0 Footcandles).

STORMWATER MANAGEMENT & DRAINAGE

40. As part of the originally submitted application, Alfred Benesch & Company submitted an Engineering Report, dated March 20, 2020 showing a comprehensive stormwater management system.
41. The proposed project includes both stormwater quality and quantity improvements and improves the existing storm drainage conditions onsite. Peak runoff rates are reduced in all

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storms through the 100-year peak storm event. The project also includes water quality volume and flow measures that meet or exceed the requirements of the CT DEEP Connecticut Stormwater Quality Manual.

42. During the May 26, 2020 public hearing, Professional Engineer, William Walter, of Alfred Benesch & Company, said that the project site has been designed to meet the requirements of Section 880 of the Zoning Regulations, including the Town's "Fresh Meadow" requirements and that a detailed analysis of the watershed was completed.
43. An approximately 20,000 cubic foot, underground concrete detention system is proposed to be constructed under the lower field on the west side of the property. The underground system will be an open bottom system on 16-inches of crushed stone to allow for stormwater recharge, treatment for water quality, and peak flow detention. The system is designed to convey the 50-year storm off the site.
44. The stormwater management system will also treat surface runoff for water quality through a series of treatment methods, including deep sump catch basins, bioretention, hydrodynamic separation, and infiltration. The existing site outfall at the western edge of the property is being replaced with a concrete endwall and associated rip rap scour hole (plunge pool) to provide dissipation of energy at the outfall, thereby eliminating the erosion that is presently occurring under existing conditions.
45. Professional engineer Craig Flaherty, of Redniss & Mead, completed a technical peer review of the stormwater management aspect of the proposal for the Commission. At the May 26, 2020 public hearing on the matter, Mr. Flaherty said the proposed improvements are in full conformance with Section 880 of the Town's Zoning Regulations. Mr. Flaherty reviewed his May 26, 2020 peer review engineering comments with the Commission and recommended several minor modifications to the Stormwater Management Plan (items (1.g), (1.j), (1.n), and (1.o)) of his report.
46. The Commission finds that the proposal will result in a net decrease in peak flows within Stony Brook for all storms up to and including the 100year design storm, thereby not exacerbating any existing flooding issues.

#### PROJECT PHASING & SITE LOGISTICS

47. The project is to be constructed in two separate phases. The full academic portion of the new building is to be constructed in the first phase, with the entirety of the existing building, including remaining in place throughout the 2020-2021 school year. Phase 1 construction is anticipated to span approximately 14 months, beginning in November 2020, with an anticipated completion date around January 2022.
48. Phase 2 construction is anticipated to span approximately 10 months, beginning in January 2022, with an anticipated completion date in the late fall of 2022. Full occupancy of the completed school is anticipated in January 2023. Final site work is anticipated to be completed by the spring of 2023.



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49. The ELP programs are planned to be consolidated into the school in January 2023.
50. Construction hours would be staggered, so as not to conflict with drop-off and pick-up times for students, faculty, and staff.
51. Off-site parking is proposed for most construction workers, with a shuttle or other arrangements necessary to bring construction workers to and from the site daily. Final details of these construction logistics will be left to the Building Committee.
52. All construction related activities are proposed to be distinctly separated from all school related activities by construction fencing and walls. All construction workers working at the site are subject to background screening.
53. All construction related materials and equipment are proposed to be staged on the southeastern portion of the site.
54. The Commission finds that it is important to properly manage construction access and associated deliveries since there is only one point of ingress/egress to the site.

**SPECIAL PERMIT FINDINGS**

55. The location and size of the use, as modified and conditioned herein, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation thereto, and the location of the site with respect to streets giving access to it, shall be such that it shall be in harmony with the appropriate and orderly development of the district in which it is located.
56. The location, nature, size, and height of buildings, walls and fences, and the nature and extent of landscaping, screening, lighting and signs, as modified and conditioned herein, shall be such that the use shall not hinder or discourage the appropriate development and use of adjacent land and buildings, or impair the value thereof.
57. The design, location and specific details of the proposed uses, as modified and conditioned herein, shall not adversely affect safety in the streets nor increase traffic congestion in the area, nor interfere with the pattern of highway circulation in such a manner as to create or augment unsafe traffic conditions between adjoining developments and the district as a whole.
58. Streets and other rights-of-way are of such size, condition and capacity to adequately accommodate the traffic to be generated by the particular proposed use.
59. The proposal conforms to the standards for approval as specified in Section 1005(a) through (g) of the Darien Zoning Regulations.
60. The elements of the Site Plan submitted as part of the Special Permit application accomplish the objectives for Site Plan Approval as specified in Subsection 1024. The site plan has been

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reviewed by the Commission and is in general compliance with the intent, purposes and objectives of Section 1020.

61. With respect to the applicant's use of the MU Overlay Zone, relative to building height and setbacks, the Commission finds that the unique use and design of the building combined with the location of the site and the development plan will result in a project that will be appropriate for the community and the site specific circumstances and will not be detrimental to the reasonable use and values of the adjacent properties.

**NOW THEREFORE BE IT RESOLVED** that Site Plan Application #284-B/Special Permit, Land Filing, Excavation & Grading Application #477 are hereby modified and approved subject to the foregoing and following stipulations, modifications and understandings:

- A. Construction and other site development activity shall be in accordance with the following plans as required to be modified herein:

**SURVEY**

- Sheet PSTS, Property and Topographic Survey Depicting Ox Ridge School, Prepared for Town of Darien by Redniss & Mead, dated April 11, 2020.

**ENGINEERING PLANS**

Plans generally titled 'Town of Darien, Ox Ridge Elementary School, 395 Mansfield Avenue, Darien, Phase 2 of 3, Site and Building Construction', Prepared by The S/L/A/M Collaborative, dated April 6, 2020, unless otherwise noted:

- Sheet C001, Erosion and Sedimentation Control Plan, Prepared by Alfred Benesch & Company;
- Sheet C002, Erosion and Sedimentation Control Details, Prepared by Alfred Benesch & Company;
- Sheet C101, Site Drainage Plan, Prepared by Alfred Benesch & Company;
- Sheet C102, Site Drainage Notes and Details, Prepared by Alfred Benesch & Company;
- Sheet C201, Site Utility Plan, Prepared by Alfred Benesch & Company;
- Sheets C300 – C304, Site Details, Prepared by Alfred Benesch & Company;
- Sheet S102, Underslab Drainage Layout Concept Plan, dated March 20, 2020;
  
- Sheet SL100, Site Lighting Plan, Prepared by Consulting Engineering Services, Inc.;
- Sheet SU100, Site Utility Plan, Prepared by Consulting Engineering Services, Inc.;
- Sheets SU101 – SU102, Site Utility Details, Prepared by Consulting Engineering Services, Inc.;
  
- Sheet L001, General Site Information;
- Sheet L101, Site Demolition and Preparation;
- Sheet L201, Site Layout, last revised May 22, 2020;

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- Sheet L201A, Site Turning Study Plan;
- Sheet L202, Site Layout Enlargement;
- Sheet L203, Site Materials;
- Sheet L204, Site Materials Enlargements;
- Sheet L301, Site Grading;
- Sheet L302, Site Grading Enlargements;
- Sheet L401, Site Planting;
- Sheet L402, Site Planting Details;
  
- Sheet A001, Overall Lower Level Plan, dated March 20, 2020;
- Sheet A002, Overall Main Level Plan, dated March 20, 2020;
- Sheet A003, Overall Roof Plan, dated March 20, 2020;
- Sheet A300, Overall Exterior Elevations, dated March 20, 2020;
- Sheet A313, Exterior Elevations, dated March 20, 2020;
- Sheet A500, Typical Exterior Assemblies, dated March 20, 2020;
  
- Sheet SL-01, Site Logistics Plan 9/1/2020 – 7/1/2022, Prepared by O&G Industries, Inc., dated March 20, 2020;
- Sheet SL-02, Site Logistics Plan 7/1/2022 – 12/1/2022, Prepared by O&G Industries, Inc., dated March 20, 2020.

All submitted plans shall be coordinated and revised to reflect the following conditions of approval, including but not limited to: stormwater management details; signage and site logistics; and landscaping and screening of the ELP playground as described during the public hearing.

- B. Because of the nature of the land filling and regrading portion of this project, and because it is a Town project under the control of the Ox Ridge Elementary School Building Committee, a performance bond for the proposed filling and regrading on the property is hereby waived.
  
- C. No rock crushing or similar processing of earth materials has been requested and no such activity is authorized, approved, or permitted. If such activity is desired, prior review and action by the Planning & Zoning Commission shall be required.

**SEDIMENT & EROSION CONTROLS**

- D. During construction, the applicant shall install the proposed silt fence as shown on the submitted Proposed Site Development Plan and Details Plan in Condition 'A', above, and also utilize any sediment and erosion control measures as may be necessary due to site conditions. These sediment and erosion controls shall be installed and maintained to minimize any adverse impacts during the construction and until the area has been revegetated or restabilized.
  
- E. Anti-tracking pads shall be established at all construction access points to minimize dirt getting into parking areas and Mansfield Avenue from any equipment. If dirt does get into Mansfield Avenue, the applicant and property owner are responsible for immediately remedying that situation.

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- F. The Planning and Zoning Department shall be notified prior to the commencement of work and immediately after the sedimentation and erosion controls are in place. The staff will inspect the erosion controls to make sure that they are sufficient and are as per the approved plans. All erosion control measures must be maintained until the disturbed areas are stabilized.

**TRAFFIC & PARKING**

- G. To effectively manage traffic, parking, and safety conditions, the school shall coordinate with the Darien Police Department, during periodic special events, where more than 140 vehicles are expected. If the Darien Police Department recommends that the number of participants be capped for the event, to effectively manage traffic and safety conditions, the school shall adhere to those recommendations. It may be necessary to hire police officers and/or parking attendants to manage vehicular and pedestrian activity on-site for special events. The Ox Ridge School principal shall be responsible for the management of special events.
- H. As mentioned by the applicant during the public hearing, parent/student drop-off as well as ELP bus drop-off shall be staff assisted at all times.

**LANDSCAPING, SCREENING & FENCING**

- I. An arborist, prior to any site work, will review methods and procedures related to temporary tree and plant protection and will coordinate with the construction manager to ensure no damage.
- J. A specific landscape plan was submitted for the record, and during the public hearing, the Commission gave extra attention to the screening and buffering relative to the eastern side of the property, especially in the area of the ELP playground. The applicant shall ensure that the area to the east of the proposed ELP playground is sufficiently screened, through the planting of additional evergreen plantings.
- K. The applicant shall ensure the viability and health of all the plantings on the site, particularly the perimeter buffer plantings, for one (1) year following the issuance of a Certificate of Occupancy for the new school building or the planting of trees/vegetation, whichever is later. Any plantings not maintained in a vigorous growing condition through this period shall be replaced with new plantings at the beginning of the next immediately following growing season. The Commission is not requiring a bond for the plantings.
- L. Prior to the installation of the six foot high chain link fence on the periphery of the property, the Planning & Zoning Director shall work on-site with the landscape architect to review the exact fence locations, which may be field-adjusted to avoid large trees and other features.

**STORMWATER MANAGEMENT**

- M. The applicant shall use perforated pipe below bioswale areas to avoid the potential for soggy conditions.

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- N. The applicant shall update the grading in the vicinity of the S-9 yard drain (northwest of the courtyard). The grate of the structure is set 1.5” below the first-floor elevation with surrounding grade pitching towards the building. The grading should direct stormwater to a structure farther from the building that allows for greater freeboard between the grate and the first floor. The rim elevation of S-38 and S-24 shall be updated to match the revised grading.
- O. The applicant shall coordinate the footing drain outlet with the underslab drainage layout. No outlet was provided for the lower underslab drainage along the eastern end of the building. The current invert out is set higher than the underslab drainage.
- P. The applicant shall raise the invert out of one of the 30 inch pipes leaving the detention system by 0.10 feet to 194.40. This will result in a peak flow reduction in the 10-year storm. Storage is exceeded in the 100-year storm by less than 2 inches, indicating the system will safely handle the storm.
- Q. The applicant/property owner shall have the continuing obligation to make sure that stormwater runoff and drainage from the site will not have any negative impacts upon adjacent properties and nearby public and private thoroughfares. If such problems do become evident in the future, the owner of the property shall be responsible for remedying the situation at their expense and as quickly as possible.

**SITE LOGISTICS DURING CONSTRUCTION**

- R. Construction hours and deliveries shall be staggered, so as not to conflict with drop-off and pick-up times for students, faculty, and staff. Final details of construction hours and deliveries shall be coordinated with the selected general contractor.
- S. When school is in session at Ox Ridge, most construction workers shall be required to park off-site. Final details of construction worker parking, and possible shuttling of workers shall be at the discretion of the School Building Committee.
- T. All construction related activities shall be distinctly separated from all school related activities.
- U. As shown on the submitted plans, construction related materials and equipment shall be staged on the southeastern portion of the site.

**AS-BUILT SURVEYS REQUIRED**

- V. The following final as-built surveys are hereby required to certify that the various site improvements are in compliance with the approved plans:
  - a) A professional engineer shall certify that all stormwater management installation and grading has been completed in accordance with the plans in Condition ‘A’. One foot contours shall be shown on the final as-built.
  - b) Certification by the architect or landscape architect, that all planting/landscaping/fencing has been completed in accordance with the plans in Condition ‘A’.
  - c) An as-built survey prepared by licensed land surveyor or certified by registered professional engineer. That as-built survey shall show all utilities or buried infrastructure installed as

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- part of this proposal. The as-built survey should include measurements from known, permanent, and visible surface features so that buried infrastructure can be located in the field in the future.
- d) Certification from the traffic consultant that the traffic light timing has been modified.
  - e) Certification on building height of the school.
- W. The granting of this Permit does not relieve the applicant of responsibility of complying with all applicable rules, regulations, and codes of other Town, State, or other regulating agencies.
- X. In evaluating this application, the Planning and Zoning Commission has relied on information provided by the applicant. If such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, the Commission reserves the right, after notice and hearing, to modify, suspend, or revoke this permit as it deems appropriate.
- Y. This permit shall be subject to the provisions of Sections 400, 420, 850, 1000, and 1020 of the Darien Zoning Regulations, including but not limited to the submission of professional certifications that the work has been completed in conformance with the permit, and implementation and completion of the approved plans for site work within three (3) years of this action (June 23, 2023). This may be extended as per Sections 858, 1009, and 1028.

All provisions and details of the plans shall be binding conditions of this action and such approval shall become final upon compliance with these conditions and the signing of the final documents by the Chairman. A Special Permit form and Notice of Drainage Maintenance Plan shall be filed in the Darien Land Records within 60 days of this action or this approval shall become null and void.