

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

October 11, 2011

Present: Michael Autuori
Peter Chipouras
Joseph Fossi
Nelson Gelfman
George Hanlon
John Katz
Phil Mische
Rebecca Mucchetti, Chairman
Patrick Walsh, Vice Chairman

Also Present: Betty Brosius, Wetland Agent
Lise Read, Recording Secretary

Planning and Zoning Public Hearings were held prior to the meeting.

At 8:40 PM Chairman Mucchetti called the meeting to order.

Dr. Autuori motioned, Mr. Fossi seconded to hear the Planning and Zoning Agenda, Item #4 first. Motion carried 9-0.

PENDING ITEMS

There were no pending items.

NEW ITEMS

- 1. #2011-113-SR-REV(SP):** Summary Ruling Application under Section 7.5 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield for regulated site work activities in the upland review area in conjunction with a revision to the special permit for building construction on property located at **824 Ethan Allen Highway** in the B-2/RAA zone. Owner/Appl.: Golf824, LLC. Auth. Agent: Robert R. Jewell, Esq. *65 day action period ends 12/15/2011. For receipt and schedule walk. (tentative)*

Also Present: Robert R. Jewell, Esq.
Lynn Morse, General Contractor for the Applicant

Ms. Brosius, Wetland Agent shared with the Board her opinion that the disturbance to the wetlands on either side of the Norwalk River and the disturbance to the Norwalk River itself when proceeding with the above project were significant enough that this ruling should be raised to a Plenary Ruling level.

Mr. Jewell, Attorney for the applicant expressed his desire to have the project remain as a Summary Ruling for time and expense purposes.

Lynn Morse, General Contractor for applicant explained the project and how a solid sleeve will bore 3' underneath the bottom of the Norwalk River bed which will connect the new leaching fields to the new building.

Ms. Brosius reminded the Board that this work described above will occur in the wetlands and to a major watercourse. Without a Plenary Ruling, the public and any association which has interests in the Norwalk River, such as the Norwalk River Association, will not be allowed to comment under a Summary Ruling.

Mr. Mische agreed with Ms. Brosius and cited Section 7.5 and Section 7.6. These sections refer to a higher level of scrutiny of plans and reports in a Plenary Ruling which considering the result if something went wrong, should be required.

Dr. Gelfman motioned, Mr. Mische seconded to raise the above Item #1 to a Plenary Ruling level. Motion carried 8-0-1. Mr. Fossi recused himself from the discussion and the vote.

Vice Chairman Walsh motioned, Mr. Mische seconded to receive the above Plenary Ruling application, to schedule the walk for October 23, 2011 and to schedule a Public Hearing for November 9, 2011. Motion carried 8-0-1. Mr. Fossi recused himself.

BOARD WALKS

Scheduled:

- **#2011-113-SR-REV(SP):** Plenary Ruling **824 Ethan Allen Highway, Golf824, LLC.**

The above walk was scheduled for October 23, 2011.

October 23, 2011:

- **#2011-107-PR-SP:** Plenary Ruling **48 Powdermaker Drive, The Pleasantview Recreational Association**
- **#2011-108-SR-SP:** Summary Ruling **5 Casa Torch Lane, Santini**

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

There was no correspondence.

MINUTES

For Approval:

There were no Meeting Minutes to approve.

For Distribution:

The Meeting Minutes for October 4, 2011 were distributed.

PUBLIC HEARINGS

Scheduled:

- **#2011-113-SR-REV(SP):** Plenary Ruling **824 Ethan Allen Highway, Golf824, LLC.**

The above Public Hearing was scheduled for November 9, 2011.

October 25, 2011

- **CONTINUED: #2011-065-SR-AH:** Application under Sec. 8-30g of the C.G. S. Summary Ruling **7-9 North Salem Road, Eppoliti Realty Co., Inc.**

November 1, 2011

- **#2011-107-PR-SP:** Plenary Ruling **48 Powdermaker Drive, The Pleasantview Recreational Association**
- **#2011-108-SR-SP:** Summary Ruling **5 Casa Torch Lane, Santini**

Hearing no further discussion, the Chairman adjourned the meeting at 8:52 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

October 11, 2011

Present: Michael Autuori
Peter Chipouras
Joseph Fossi
Nelson Gelfman
George Hanlon
John Katz
Phil Mische
Rebecca Mucchetti, Chairman
Patrick Walsh, Vice Chairman

Also Present: Betty Brosius, Director of Planning
Lise Read, Recording Secretary

Planning and Zoning Public Hearings were held prior to the Inland Wetland Meeting.

At 8:07 PM Chairman Mucchetti called the meeting to order.

Dr. Autuori motioned, Mr. Fossi seconded to hear the Planning and Zoning Agenda, Item #4 first. Motion carried 9-0.

PENDING ITEMS

1. **#2011-092-SP:** Special Permit under Section 9.2 required by Section 3.3.D.2 of the Ridgefield Zoning Regulations to operate a silk screening studio and business within the barn on the premises located at **507 Ridgebury Road** in the RAAA zone. Appl.: Palmer Properties. Owner: John Katz and Daniel Katz. Auth. Agent: Robert R. Jewell, Esq. *Received 9/6/2011. Walked 9/11/2011. Public hearing commenced 10/11/2011. 65-day action period ends 12/15/2011. For discussion/action.*

Also Present: Robert R. Jewell, Esq.

Commissioners commented that this home occupation use was ideal for this location and that all the Special Permit criteria have been met. Further, the applicant has proven through water tests that the proper disposal of silk screening materials has been adhered to.

Dr. Autuori motioned, Mr. Fossi seconded to approve the above Special Permit application as presented and as a Final Resolution with standard conditions. Motion carried 7-0-2. Mr. Katz and Vice Chairman Walsh recused themselves.

2. **#2011-093-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e. to increase the number of bedrooms permitted for a Bed & Breakfast from four bedrooms to

eight bedrooms in existing building located at **304 Main Street** in the RA zone. Owner/Appl.: Corcar, LLC., Lawrence Kalkstein, member. *Received 9/6/2011. Public hearing commenced 10/11/2011. 65-day action period ends 12/15/2011. For discussion/action.*

Commissioners commented that the location for the B&B on Main St. couldn't be more ideal. It is near the Community Center and the Aldrich Museum. Further, the applicant has done a nice job fixing up the residence, 8 bedrooms for a B&B is not excessive as seen at similar facilities in Vermont and the project meets all the Special Permit criteria.

Chairman Mucchetti noted the closing of the Public Hearing, Mr. Fossi motioned, Mr. Katz seconded to approve the above Revision to the Special Permit as presented and as a Final Resolution with standard conditions. Motion carried 8-1. Vice Chairman Walsh voted against.

3. **#2011-105-REV(SP) & REV(S):** (1) Application for Revision to the Special Permit required by Section 9.2.A.7.e. of the Ridgefield Zoning Regulations to revise a previously approved accessway, (2) request for waiver of Sec. 4-12 of the Ridgefield Subdivision Regulations to permit four lots on an accessway and (3) Application to revise lot lines in a previously approved subdivision (TC#9166 approved by the Commission on 2/17/2009) for property located at **Sunset Lane** in the R-7.5 zone. *65-day action period ends 12/8/2011. Owner/Appl.: Stephen J. Zemo Residential Properties, LLC. Auth. Agent: John F. McCoy, VII, P.E. Received 10/4/2011. For discussion/action.*

Also Present: John F. McCoy, P.E.

Mr. McCoy made a presentation to the Commission noting the Town made available an extra right of way and the applicant purchased additional property resulting in the above requests to the Commission. Further, Mr. McCoy noted the change in the drainage system.

Mr. Katz motioned, Mr. Fossi seconded to approve the above Part 1, Revision to the Special Permit as presented and as a Final Resolution with standard conditions. Motion carried 9-0.

Mr. Mische motioned, Dr. Autuori seconded to approve the above Part 2, Request for Waiver as presented and as a Final Resolution with standard conditions. Motion carried 9-0.

Dr. Autuori motioned, Mr. Chipouras seconded to approve the above Part 3, Revision to the Lot Lines as presented and as a Final Resolution with standard conditions. Motion carried 9-0.

NEW ITEMS

- #2011-109-REF:** Referral under Section 8-24 of the Connecticut General Statutes for the purchase of the Schlumberger property located on **Old Quarry Road** in the B-2 zone. Referred by Board of Selectman, Town of Ridgefield. *35-days to issue report ends 11/15/2011. For discussion/action.*

Also Present: Rudy Marconi, First Selectman

Mr. Marconi relayed the history of the agreements and negotiations relating to the Town of Ridgefield purchasing this property.

There were some difference of opinion as to the obligations of the Commission under Section 8-24 but consensus was even if the referral was not required, no violation would be committed by providing comment.

Vice Chairman Walsh motioned, Mr. Fossi seconded to recommend a favorable referral under Section 8-24 of the Connecticut General Statutes to purchase the Schlumberger property located on Old Quarry Road. Motion carried 9-0.

- #2011-110-SP:** Special Permit application under Section 9.2 required by Section 3.3.A.2 of the Ridgefield Zoning Regulations to allow garage bays in excess of allowable amount on property located at **35 Golf Lane** in the RAA zone. Owner: Michael Breede. Auth. Agent: John M. Doyle, AIA. *65 days to commence public hearing ends 12/15/2011. For receipt, schedule walk and public hearing.*

Mr. Mische motioned, Mr. Fossi seconded to receive the above Special Permit application, to schedule Commissioner individual drive-bys and to schedule a Public Hearing for November 9, 2011. Motion carried 9-0.

- #2011-111-A:** Amendment to the Ridgefield Zoning Regulations, **Section 9.1.A.2.c and 10.2.A.4**, waiver of survey requirements. Commission Initiated. *Distributed via mail 10/6/2011. Set public hearing date. (PD suggests November 15, 2011)*

Dr. Autuori motioned, Mr. Mische seconded to schedule the above Proposed Amendment Public Hearing for November 15, 2011. Motion carried 9-0.

- #2011-112-SP:** Special Permit application under Section 9.2 required by Section 3.3.d. of the Ridgefield Zoning Regulations for an accessory dwelling unit above an existing 3 bay detached garage on property located at **206 West Mountain Road** in the RAAA zone. Owner/Appl.: Maureen Rivard. *65 days to commence public hearing ends 12/15/2011. For receipt, schedule walk and public hearing.*

Mr. Katz motioned, Mr. Chipouras seconded to receive the above Special Permit application, to schedule the walk for October 23, 2011 and to schedule the Public Hearing for November 9, 2011. Motion carried 8-0-1. Mr. Fossi recused himself.

8. **#2011-113-SR-REV(SP):** Revision to Special Permit Application under Section 9.2.A.7.e. of the Town of Ridgefield for building construction on property located at **824 Ethan Allen Highway** in the B-2/RAA zone. Owner/Appl.: Golf824, LLC. Auth. Agent: Robert R. Jewell, Esq. *65 day action period ends 12/15/2011. For receipt and schedule walk. (tentative)*

Vice Chairman Walsh motioned, Mr. Chipouras seconded to receive the above Revision to the Special Permit, to schedule the walk for October 23, 2011 and to schedule the Public Hearing for November 9, 2011. Motion carried 8-0-1. Mr. Fossi recused himself.

Dr. Autuori motioned, Mr. Chipouras seconded to add Item #9 to the Planning and Zoning Agenda. Motion carried 9-0.

9. Proposed amendment, originally introduced as: **#2011-070-PRE:** Pre-submission concept under Sec. 9.2.E. of the Zoning Regulations, re Notice Requirements for public hearings under **Sec. 9.3.L** c/o Robert R. Jewell, Esq.

The pre-submission concept for amendment, first introduced by Attorney Robert Jewell, was presented by the Planner as a draft Commission-initiated amendment. *Set Public Hearing date.*

Mr. Fossi motioned, Mr. Chipouras seconded to schedule the above Public Hearing for November 15, 2011. Motion carried 9-0.

COMMISSION WALKS

Scheduled:

- **#2011-110-SP:** Special Permit **35 Golf Lane**, Breede.
The above was scheduled for Commissioner individual drive-bys.
- **#2011-112-SP:** Special Permit **206 West Mountain Road**, Rivard
- **#2011-113-SR-REV(SP):** Revision **824 Ethan Allen Highway**, Golf824, LLC.
The above two walks were scheduled for October 23, 2011.

October 23, 2011

- **#2011-103-SP:** Special Permit **17 Bayberry Hill Road**, Sigg.
- **#2011-107-PR-SP:** Special Permit **48 Powdermaker Drive**, The Pleasantview Recreational Association
- **#2011-108-SR-SP:** Special Permit **5 Casa Torch Lane**, Santini

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti brought the following pieces of correspondence to the Commissioner's attention. No action was required.

1. The Route 7 Access Management Plan prepared for SWRPA and HVCEO by Fitzgerald & Halliday, Inc.. The Commissioners were asked to pick up a copy from Ms. Brosius and return when finished reading if their copy is not wanted for their files.
2. The Route 7 Transportation and Land Use Study prepared for SWRPA and HVCEO by Fitzgerald & Halliday, Inc.
3. Three pieces of correspondence for 7-9 North Salem Rd. One being a letter from CTDOT regarding the encroachment permit.
4. An updated Regulations Page 3-13 Section F - Maximum Lot Coverage.

MINUTES

For Approval:

There were no Meeting Minutes to approve.

For Distribution:

The Meeting Minutes for October 4, 2011 were distributed.

PUBLIC HEARINGS

Scheduled:

- **#2011-110-SP:** Special Permit **35 Golf Lane**, Breede.
- **#2011-112-SP:** Special Permit **206 West Mountain Road**, Rivard
- **#2011-113-SR-REV(SP):** Revision to Special Permit **824 Ethan Allen Highway**, Golf 824, LLC.

The above Public Hearings have been scheduled for November 9, 2011.

- **#2011-111-A:** Amendment to the Ridgefield Zoning Regulations, **Section 9.1.A.2.c and 10.2.A.4**, waiver of survey requirements. Commission initiated.
- **#2011-070-PRE:** Pre-submission concept under **Sec. 9.2.E.** of the Zoning Regulations, re Notice Requirements for public hearings under Sec. 9.3.L Robert L. Jewell.

The above Public Hearings have been scheduled for November 15, 2011.

October 25, 2011

- **CONTINUED: #2011-065-SR-AH:** Application under Sec. 8-30g of the C.G. S.7-9 **North Salem Road**, Eppoliti Realty Co., Inc.

November 1, 2011

- **#2011-103-SP:** Special Permit **17 Bayberry Hill Road**, Sigg.
- **#2011-107-PR-SP:** Special Permit **48 Powdermaker Drive**, The Pleasantview Recreational Association
- **#2011-108-SR-SP:** Special Permit **5 Casa Torch Lane**, Santini

Hearing no further discussion, the Chairman adjourned the meeting at 8:39 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary