

APPROVED / REVISED  
MINUTES  
INLAND WETLANDS BOARD MEETING

DATE October 12, 2010

Present: Michael Autuori  
Peter Chipouras  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Rebecca Mucchetti, Chairman  
Patrick Walsh, Vice Chairman

Absent: Joseph Fossi

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

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

At 7:53 PM Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

There were no pending items to discuss.

**NEW ITEMS**

There were no new items to discuss.

**BOARD WALKS**

- **#2010-100-SP-SR: Summary Ruling 746 Danbury Road, BMW of Ridgefield, Ridgefield Waterside Properties, LLC and RAC Realty, LLC**

**With no objections from the Board, this walk has been rescheduled from October 17<sup>th</sup> to October 24, 2010 to meet quorum requirements.**

**REQUESTS FOR BOND RELEASES/REDUCTION**

There were no requests for bond release or reduction.

**CORRESPONDENCE**

There was no correspondence to discuss.

**MINUTES**

There were no Meeting Minutes to approve.

**PUBLIC HEARINGS**

**November 3, 2010**

- **2010-100-SP-SR: Summary Ruling 746 Danbury Road, BMW of Ridgefield, Ridgefield Waterside Properties, LLC and RAC Realty, LLC**

Hearing no further discussion, the Chairman adjourned the meeting at 7:55 PM.

Respectfully Submitted,

Lise B. Read  
Recording Secretary

APPROVED / REVISED  
MINUTES  
PLANNING AND ZONING COMMISSION MEETING

DATE October 12, 2010

Present: Michael Autuori  
Peter Chipouras  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Rebecca Mucchetti, Chairman  
Patrick Walsh, Vice Chairman

Absent: Joseph Fossi

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 7:55 PM Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

- #2010-069-SP-AH:** Site Plan Application under §8-30g of the Connecticut General Statutes (Affordable Housing) for an 8-unit affordable housing development consisting of two 3-unit buildings (six units) and including two apartment units in an existing residential structure, of which 30% shall be “affordable,” for property located at **613 Main Street** in the R-20 zone. Owner/Applicant: 613 Main St., LLC. Authorized Agent: Donnelly, McNamara & Gustafson, P.C. *Received 7/13/2010, walked 9/12/2010. Public hearing commenced 9/14/2010 and continued to 9/21/2010. Public hearing closed and draft Resolution of Approval requested 9/21/2010. Motion to approve the §8-30g application remains on the table. 65-day action period ends 11/25/2010. For action.*

Chairman Mucchetti opened with stating that Ms. Brosius, Planner had sent a series of questions to Counsel on Wednesday, October 6<sup>th</sup> regarding the language of §8-30g and the Vice Chair, Chair and Planner had a conference call with Attorney Francis Collins on Friday, October 8<sup>th</sup>.

Ms. Brosius stated that in calculating the 30% affordable units, all units on the property must be counted and that if the total units required is not a whole number, one must round up. Also Ms. Brosius stated that she checked the prior §8-30g applications completed in Ridgefield and all were done correctly but all did not have this particular issue. The Commission’s perception that they could round down and the applicant’s perception that the Commission’s practice was to round down was a reasonable assumption. But after

this investigation, 613 Main Street must round up from 2.4 units to 3 units in order to satisfy the 30% requirement for §8-30g.

The conference call, Chairman Mucchetti continued, consisted of asking Attorney Collins if the Commission had to decline the application because the application called for 2 units being affordable and did not meet the requirements of §8-30g. Attorney Collins informed them that they did not have to decline but had the option to modify. The other question asked was if the Commission needed to reopen the Public Hearing and the answer was no.

Dr. Autuori brought up that maybe the Commission should ask the applicant to reduce the units being built which could reduce the affordable units required to 2. The consensus of the Commission was that Ridgefield needed affordable housing and three (3) units were preferable.

**After discussion, Mr. Walsh amended his original approval motion of 10/05/10 to include one (1) additional unit for a total of 3 units to comply with the 30% ruling under §8-30g of the Connecticut State Statutes. Mr. Katz amended his second to this motion, and the motion carried 7-1. Dr. Autuori voted against.**

2. **#2010-086-SP:** Special Permit applications under Section 9.2 of the Ridgefield Zoning Regulations for (1) signs in excess of the allowable amount, required by Section 7.2.E.11 and (2) designation of existing business under Section 3.2.C.6 (Adaptive Reuse of Historic or Architecturally Significant Buildings) on property located at **609 Main Street** in the R-20 zone. Owner/Apl.: Jack and Louis Parascondola. *Received 9/7/2010. Public hearing commenced 10/5/2010 and continued to 10/12/2010. 65-day action period ends 12/16/2010. For discussion/action.*

Mr. Katz questioned the wording of “signs in excess of the allowable amount”. Ms. Brosius stated that she will amend the wording when posting the legal notice of approval to “signage required under Adaptive Reuse”.

- 1) **Mr. McChesney motioned, Dr. Autuori seconded to approve the Adaptive Reuse Special Permit application with standard conditions. Motioned carried 8-0.**
- 2) **Mr. McChesney motioned, Dr. Autuori seconded to approve the Special Permit application for a temporary advertising sign with special conditions, including limitation for posting the sign for 16 weeks per year. Motion carried 8-0.**
3. **#2010-091-SP-VDC:** Special Permit Application under Section 9.2 as required by Section 9.2.A to expand seating, and Village District Application under Section 8.3 of the Ridgefield Zoning Regulations and Revisions to existing Special Permit under Section 9.2.A.7 to change signage and modify exterior storefront for existing building

located at **408 Main Street**, Tazza Café in the CBD zone. Owner: Urstadt Biddle Properties. Appl.: Tazza Café. Auth. Agent: Richard H. Girouard, Sr. *Received 9/14/2010. 35 days to receive Village District report ends 10/19/2010. 65-day action period ends 12/16/2010. For discussion/action.*

- 1) **Mr. Katz motioned, Mr. Chipouras seconded to approve the Special Permit application to expand seating with special conditions, including limiting expansion for a maximum of 26 seats. Motion carried 8-0.**
  - 2) **Mr. Katz motioned, Mr. Mische seconded to approve the Village District application to change signage and modify the exterior storefront with standard conditions. Motion carried 8-0.**
4. **#2010-094-PRE:** Pre-Submission Concept under Section 9.2.E of the Ridgefield Zoning regulations for site development on property located at **35-37 Danbury Road and 10-16 Roberts Lane** in the B-1 zone. Owner: Eppoliti Realty Corporation. *For discussion.*

Mr. Michael Eppoliti presented to the Commission during this pre-application hearing, his plans to demolish the existing buildings on the site and replace them with four new buildings. The reason being was that existing buildings have no architectural continuity and the site plan does not flow. He presented two plans, one of which eliminates the access to Roberts Lane. He stated that back in 1967 when his father bought the property the only access was to Roberts Lane which he owns and the Town of Ridgefield has a right-of-way. His preference is to eliminate the access to Roberts Lane to accommodate the residents of Roberts Lane from commercial traffic but he understands that the Fire Marshal might object.

Further, Mr. Eppoliti presented to the Commission his possible plan to connect the two rear buildings on the site and have one elevator accessing both buildings and his plan to have apartments on the 3<sup>rd</sup> floor of two of the buildings.

The consensus of the Commission was that they liked his ideas, appreciated his concern with architectural continuity and site plan flow but to keep in mind greenery. Ms. Brosius brought up that there is a possibility that he could set aside a section which could be green but if needed for parking, could be changed. The concept is known as reserved parking. The Commission also suggested that the buildings form a square with a quad in the middle with a park-like feel which contains flexible parking and maximizes the greenery both inside the quad and outside toward the road. Ms. Brosius cautioned that due to fire codes if a building is on the side of one's property, windows are at a minimum and a fire rated wall is required, leaving apartments or office space located there undesirable.

Mr. Eppoliti thanked the Commission for their input and their desire for him to go ahead with his application.

5. **#2010-101-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e of the Ridgefield Zoning Regulations to permit grand-openings flags on property located at **955 Ethan Allen Highway, John's Best Pizza Restaurant** in the B-2 zone. Owner: Maria Gardell. Appl.: John's Best Pizza Restaurant. Auth. Agent: Dennis DeNovio. *65-day action period ends 12/9/2010. Received 10/5/2010. For discussion/action.*

Though this item was rescheduled for tonight so the applicant could present to the Commission, the applicant was not in attendance. Further, the applicant had been instructed to remove the flags on his property until and if the Special Permit application had been accepted. This request was not done and the flags were still up.

**Mr. Walsh motioned, Mr. Mische seconded to deny the Special Permit application for flags. Motion carried 8-0.**

#### **NEW ITEMS**

6. Proposed amendments to the Zoning Regulations. *Schedule public hearings.* (1) Sec. 2.2, Corrections/Definition of Story and Basement, (2) Sec. 7.3, Elimination of parking requirements for CBD zone, (3) Sec. 7.9, Correction/Driveways within Accessways. Commission initiated.

**With correction to (2) 7.3, Elimination of Parking Requirements in CBD Zone, Mr. Walsh motioned, Dr. Autuori seconded to schedule the above Zoning Regulation amendments for Public Hearings on November 16, 2010. Motion carried 8-0.**

#### **COMMISSION WALKS**

- **#2010-097-SP:** Special Permit **413 Branchville Road, Soyak**
- **#2010-098-REZ:** Zone Change **88-90 Danbury Road and 98 Danbury Road, 98 Danbury Road, LLC, Quarter Mile Company, LLC, Trustees of the Joseph and Ellen Ann Donnelly Trust and Paul S. McNamara.**
- **#2010-099-REV(SP):** Revision **125 Danbury Road, (Cops Hill Shopping Plaza), Equity One, Inc.**
- **#2010-100-SP-SR:** Special Permit **746 Danbury Road, BMW of Ridgefield, Ridgefield Waterside Properties, LLC and RAC Realty, LLC**

**With no objection from the Commission, the above site walks have been rescheduled to October 24, 2010 to meet quorum requirements.**

**NOTE: Chairman Mucchetti brought to the Commissions attention that there will be no Inland Wetland, Planning & Zoning meetings or Public Hearings scheduled for the last two Tuesdays of November.**

#### **REQUESTS FOR BOND RELEASES/REDUCTION**

There were no requests for bond release or reduction.

## **CORRESPONDENCE**

The Commission received a letter from the President of Keeler Tavern informing the Commission that due to topography, the placement of the storage trailer on the site has been relocated. Chairman Mucchetti noted that the Director of Planning had stated that the new placement was acceptable and no action would need to be taken by the Commission.

## **MINUTES**

**September 28, 2010 (in 10/5/2010 packet)**

Chairman Mucchetti requested the following changes:

- Page 1, Paragraph 2, the number of parking spaces is amended from 1,100 to 1,500 within the CBD zone.
- Page 2, Paragraph 4, remove entire paragraph which starts with “Mr. Katz asked ...”
- Page 3, Paragraph 1 add to the end “The Planner will draft language for amendment”.
- Page 5, Under 140% Rule, remove “... (but the Planner needs to persuade ...)”.
- Page 6, Paragraph 2, add at the end “There was no consensus to regulate outdoor dining”.

**With changes described in the Meeting Minutes, Mr. Katz motioned, Dr. Autuori seconded to approve the Special Meeting Minutes of September 28, 2010. Motion carried 8-0.**

## **PUBLIC HEARINGS**

- **Proposed amendments, Sec. 2.2, Sec. 7.3 and Sec. 7.9;** Commission initiated. These amendments have been scheduled for a Public Hearing on November 16, 2010.

**November 3, 2010 (WEDNESDAY)**

- **#2010-100-SP-SR:** Special Permit **746 Danbury Road, BMW of Ridgefield,** Ridgefield Waterside Properties, LLC and RAC Realty, LLC

**November 9, 2010**

- **#2010-097-SP:** Special Permit **413 Branchville Road,** Soyak
- **#2010-098-REZ:** Zone Change **88-90 Danbury Road and 98 Danbury Road,** 98 Danbury Road, LLC, Quarter Mile Company, LLC, Trustees of the Joseph and Ellen Ann Donnelly Trust and Paul S. McNamara.

Hearing no further discussion, the Chairman adjourned the meeting at 8:45 PM.

Respectfully Submitted,

Lise B. Read  
Recording Secretary