

APPROVED / REVISED  
MINUTES  
INLAND WETLANDS BOARD MEETING

DATE: December 7, 2010

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

Absent: Phil Mische

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

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

At 8:00 PM Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

**1. Election of Officers (IWB). For action.**

**Mr. Katz motioned, Mr. Fossi seconded to move the current slate of Rebecca Mucchetti as Chairman and Patrick Walsh as Vice Chairman. Motion carried 7-0.**

**NEW ITEMS**

**2. #2010-115-REV(IW):** Revision to previously approved Summary Ruling application under Section 11.9 of the Ridgefield Inland Wetlands and Watercourses Regulations to modify house location and to allow constructed boulder retaining wall to encroach within flagged wetlands on property located at **55 Wilton Road East** in the RAA zone. Owner: Whitehall Realty. Appl./Auth. Agent: Margaret Price Sims. *65 day action period ends 2/10/2011. For receipt /discussion/action.*

Chairman Mucchetti opened the discussion by referring the Board to the memo from Aimee Pardee, Inland Wetland Agent whereby Ms. Pardee explains the infraction (encroachment within flagged wetlands). Mr. Michael Coates of Ridgefield Supply responded by stating that his contractor had missed flags 7B and 9B with 7B being the worst offender. He acknowledged that missing the flagging is a problem but removing the newly built boulder retaining wall is a greater problem. He is before this Board to ask that the boulder retaining wall remain where it is, and he and the applicant are working with a Landscape Architect on a plan to plant native wetland plants in the sensitive areas to help mitigate the situation.

Chairman Mucchetti emphasized that the Landscape Architect plans need to be submitted to Wetlands Agent Aimee Pardee by the Owner, and need not come before this Board again. Mr. Coates agreed.

Ms. Brosius, also Wetlands Agent, explained to the Board that the house has been moved 10' closer to the wetlands and that Ms. Pardee had reviewed this revision and found it acceptable.

**With that, Mr. Katz motioned, Mr. Fossi seconded to approve the revisions to the previously approved Summary Ruling application, under the supervision and inspection of Aimee Pardee, Inland Wetland Agent, and according to the submitted plans. Motion carried 7-0.**

#### **BOARD WALKS**

There were no board walks scheduled.

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

There were no requests for bond release or reduction.

#### **CORRESPONDENCE**

There was no correspondence.

#### **MINUTES**

##### **For Approval:**

**November 9, 2010** (in 11/16/2010 packet)

**Mr. Katz motioned, Dr. Autuori seconded to approve the Minutes of November 9, 2010 as presented. Motion carried 6-0-1. Mr. Chipouras was not present at the meeting.**

**November 16, 2010** (mailed 11/24/2010)

**Dr. Autuori motioned, Mr. Walsh seconded to approve the Minutes of November 16, 2010 as presented. Motion carried 4-0-3. Mr. Chipouras and Mr. Fossi were not present at the meeting and Mr. Katz abstained.**

**November 30, 2010** (mailed 12/2/2010)

**Mr. Walsh motioned, Dr. Autuori seconded to approve the Minutes of November 30, 2010 as amended for Inland Wetland and Planning & Zoning. Motion carried 7-0.**

##### **For distribution:**

There were no Minutes to distribute.

#### **PUBLIC HEARINGS**

There were no Public Hearings scheduled.

Hearing no further discussion, the Chairman adjourned the meeting at 8:08 PM.

Respectfully Submitted,

Lise B. Read  
Recording Secretary

APPROVED / REVISED  
MINUTES  
PLANNING AND ZONING COMMISSION MEETING

DATE: December 7, 2010

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

Absent: Phil Mische

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 8:09 PM Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

- 1. #2010-069-SP-AH:** Re-submission under Connecticut General Statutes §8-30g(h) for modification of the Resolution of Approval adopted by the Planning and Zoning Commission on 10/12/2010, effective 10/22/2010 for property located at 613 Main Street in the R-20 zone. Owner/App.: 613 Main St., LLC. Auth. Agent: Robert R. Jewell, Esq. *Received 11/3/2010. Public hearing commenced 12/7/2010. 65- day action period ends 1/7/2011. For action.*

**Mr. Walsh motioned, Mr. Chipouras seconded to approve the requested modification, to vacate the Special Permit for adaptive reuse and approve residential use on the first floor of the existing front building on the site, to make a total of 9 units with the three units restricted as affordable. The condition requiring landscaping on the adjoining property was eliminated. Motion carried 7-0.**

- 2. #2010-106-A:** Proposed amendment to the Zoning Regulations, **Sec. 3.4 (Accessory Structures)**, to change permit requirement for “front yard” structures from Special Permit to Site Plan Approval. *Commission initiated. For action.*

**Mr. Katz motioned, Mr. Fossi seconded to approve the proposed amendment to the Zoning Regulations, Sec. 3.4, Accessory Structures, with minor revisions/corrections suggested by the Planner. This amendment is effective 12/07/10. Motion carried 7-0.**

**3. Election of Officers (PZC/APA). *For action.***

**Mr. Katz motioned, Mr. Fossi seconded to move the current slate of Rebecca Mucchetti as Chairman and Patrick Walsh as Vice Chairman for both Planning & Zoning and Aquifer Protection. Motion carried 7-0.**

**NEW ITEMS**

- 4. #2010-113-SP:** Special Permit Application under Section 9.2 required by Section 3.3.A.2 and Section 3.4.D.3 of the Ridgefield Zoning Regulations to build a detached 3 bay garage with an unfinished loft in the front yard on property located at **133 Spring Valley Road** in the RAAA zone. Owner: John & Bonnie Edelman. Auth. Agent/App.: Don Longo/ Longo & Associates. *65 days to commence public hearing ends 2/10/2011. For receipt, schedule public hearing and walk.*

It was noted that this application is before the Commission because it exceeds the allowable amount of garage bays on a property. Also, it was originally before the Commission due to it being an “Accessory Structure” in the front yard but due to the Commission voting on Item #2 above this part of the application is now moot.

**With that, Mr. Katz motioned, Mr. Fossi seconded to receive the Special Permit application, decline the Commission walk and schedule the application for a Public Hearing on 01/11/11. Motion carried 6-0. Mr. Walsh recused himself.**

- 5. #2010-114-PRE:** Pre-Submission Concept under Section 9.2.E of the Ridgefield Zoning regulations to relocate business (**Bone Jour Dog Grooming and Day Care**) from a B-3 Zone to a mixed-use building at **221 Danbury Road** in the RAA zone. Owner: Nicole Wickstrum Extance. Auth. Agent: Robert R. Jewell, Esq. *For discussion.*

Attorney Jewell, opened the conversation stating that the building located at 221 Danbury Road is presently a non-conforming home occupation beauty salon, located on 2.6 acres of land, with a 2-car garage. It is in a residential zone with two rental properties to the south, one residence to the north, a Town highway to the east and 68 acres of Town recreation land to the west. It is in a remote location with the nearest neighbor being 75’ away. The proposed applicant currently rents an apartment there, and is considering purchasing the property.

The proposed applicant wishes to relocate her current business of Bone Jour to the above aforementioned property at 221 Danbury Road. The business is currently only 1,000’ from the proposed relocation and consists of dog grooming and doggie day care. The business is open from 7:30 AM to 6:30 PM Monday through Friday with no exceptions, has 22 – 25 dogs on the premises at any one time with 10 to 15 dogs being in doggie day care. The grooming dogs would always be inside and in crates with the day care dogs being allowed inside or out. The fenced-in area for the proposed new location will be the same size as the current business.

The consensus from the Commission was positive except for the possibility of barking dogs being a noise pollution factor. Dr. Autuori stated that barking dog noise can carry a half mile. Mr. Fossi stated possible support for the project but that the Commission will need a fall back position if they approved the application and there is a noise problem. The proposed applicant needs to do more research concerning the noise factor. Mr. Walsh stated that he feels there is support at the table, but it is the proposed applicant's responsibility to prove to the Commission that the noise level will not be a factor.

Attorney Jewell asked the Commission to walk both the current business and listen to the noise level and walk the possible new location for the business, to observe the distance to the nearest neighbors. He also stated that he and the proposed applicant will be talking to the neighbors to get their feedback.

Chairman Mucchetti stated that most if not all of the Commission would walk the properties and get back to Ms. Brosius, Planner with their feedback and that Attorney Jewell is more than welcome to check in with Ms. Brosius for these responses.

6. **#2010-116-SP:** Special Permit Application under Section 9.2 required by Section 3.6.C.1 of the Ridgefield Zoning Regulations to construct a deed restricted single story addition, consisting of a family room and connector to existing detached garage on property located at **48 Olmstead Lane** in the RA zone. Owners/Appls.: Brian G. and Deborah Sallaberry. Auth. Agent: Peter T. Coffin, AIA. *65-days to commence public hearing ends 2/10/2011. For receipt, schedule public hearing and walk.*

**Dr. Autuori motioned, Mr. Chipouras seconded to receive the Special Permit application, decline the Commission walk and schedule the application for a Public Hearing on 01/11/11. Motion carried 7-0.**

At the request of the Chairman, **Dr. Autuori motioned, seconded by Mr. Chipouras, to add the following item to the agenda:**

7. **#2010-105-A:** Revised proposed amendment to the Zoning Regulations, Parking Requirements in the CBD Zone.

**The Chairman asked for a brief discussion, to make any needed changes to the language of the proposed amendment prior to the continued public hearing. There were no changes. This Item has been scheduled for continuance at a Public Hearing on December 14, 2010.**

Note: It was brought up that to wordsmith language of a Regulation at a Public Hearing can be a matter of concern. One word can change a meaning of a regulation. Careful review before the Public Hearing would be of great benefit to the Commission and to the Planner.

## COMMISSION WALKS

### To be scheduled:

- **#2010-113-SP:** Special Permit **133 Spring Valley Road**, Edelman.
- **#2010-116-SP:** Special Permit **48 Olmstead Lane**, Sallaberry.

**Both of these walks were found to be not necessary.**

## REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

## CORRESPONDENCE

1. Chairman Mucchetti brought to the attention of the Commission the letter from the Ridgefield Professional Office Complex stating that Ridgefield BMW will be temporarily storing their cars in the south building at 901 Ethan Allen Highway for a period of 18 months during construction of the new dealership. This letter is for informational purposes only.
2. Chairman Mucchetti offered the email message from Richard Baldelli, ZEO to the Planner, concerning exterior lights. Apparently metal halite lights will no longer be sold in CT due to the contents of mercury, and replacements for these lights will be costly. Also, forcing commercial property owners to replace these lights will be difficult since the Town does not have the money to replace similar lights on Town properties. This letter is for informational purposes only.

## MINUTES

### For Approval:

**November 9, 2010** (in 11/16/2010 packet)

**Mr. Fossi motioned, Dr. Autuori seconded to approve the Minutes of November 9, 2010 as amended. Motion carried 6-0-1. Mr. Chipouras was not present at the meeting.**

**November 16, 2010** (mailed 11/24/2010)

**Mr. Walsh motioned, Dr. Autuori seconded to approve the Minutes of November 16, 2010 as presented. Motion carried 4-0-3. Mr. Chipouras and Mr. Fossi were not present at the meeting and Mr. Katz abstained.**

**November 30, 2010** (mailed 12/2/2010)

**The Commission acknowledged approval of the November 30, 2010 Minutes was made in the Inland Wetland Meeting.**

### For distribution:

There were no Minutes to distribute.

## PUBLIC HEARINGS

### To be scheduled:

- **#2010-113-SP:** Special Permit **133 Spring Valley Road**, Edelman.
- **#2010-116-SP:** Special Permit **48 Olmstead Lane**, Sallaberry.

Both of the above Special Permit applications were scheduled for a Public Hearing on January 11, 2011.

**December 14, 2010**

- **CONTINUED: #2010-105-A:** Amendment to **Sec. 7.3 and 5.1.C**, Commission initiated.

**January 4, 2011**

- **#2010-112-A:** Amendment to **Sec. 2.2, Sec. 3.2 & Sec. 7.2.C. #12**, Commission initiated.

Hearing no further discussion, the Chairman adjourned the meeting at 8:56 PM.

Respectfully Submitted,

Lise B. Read  
Recording Secretary