

APPROVED / REVISED  
MINUTES  
INLAND WETLANDS BOARD MEETING

January 22, 2008

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

Also Present: Betty Brosius, Inland Wetlands Agent  
Linda Caponetti, Recording Secretary

*A Planning and Zoning Commission public hearing was held prior to the meeting.*

At 11:07 p.m. Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

**NEW ITEMS**

1. **#2008-007-SR:** Summary Ruling Application for pool terracing and back yard landscaping in buffer of wetlands, at residence located on 5.223 acres at **110 South Salem Road** in the RAA zone. Owners: Mark and Lori Fife, Auth. Agent: James A. DeLalla, DeLalla & Associates, LLC. For receipt/schedule walk to determine significance.

**Chairman Mucchetti** suggested adding the item to the 2/10/08 schedule for a site walk, which will enable the Board to determine significance. Mr. Katz motioned, seconded by Dr. Autuori, to acknowledge receipt of the application, and to schedule a site walk as suggested. The motion passed, 9-0.

**BOARD WALKS**

The Board added item #1 to the site walk schedule, as noted below:

**February 10, 2008**

- **#2008-004-PR:** Plenary Ruling **Lots 72-75 Third Lane**, Wood/ Dean
- **#2008-007-SR:** Summary Ruling, **110 South Salem Road**, Fife

**REQUESTS FOR BOND RELEASES/REDUCTION**

There were no requests for bond release or reduction.

## **CORRESPONDENCE**

There was no correspondence.

## **MINUTES**

**Mrs. Willis** motioned, seconded by Mr. Mische, to approve the minutes of January 8, 2008. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 11:10 p.m.

Respectfully submitted,

Linda Caponetti  
Recording Secretary

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MINUTES  
PLANNING AND ZONING COMMISSION MEETING

January 22, 2008

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

Also Present: Betty Brosius, Director of Planning  
Linda Caponetti, Recording Secretary

*A public hearing was held prior to the meeting.*

At 11:12 p.m., Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

1. **#2007-085-VDC: 451-467 Main Street**, CVS Plaza in the CBD zone. Owner: E.A.L. Associates. Appl.: Sign-A-Rama. To confirm decision on Village District Approval.

**Chairman Mucchetti** noted the Planner’s memorandum and explanation that the vote taken on this item the previous week was handled incorrectly. She noted Mr. Walsh’s attempt to clarify and correct the vote, and apologized to him on behalf of the Commission. The vote to approve the sign, she said, was actually a vote taken on the motion to “call the question.”

**The Chairman** motioned, seconded by Dr. Autuori, to reconsider the decision of the vote taken the previous week (because of the procedural error), and to call the question. The motion passed, 9-0.

The Commission then voted on the motion made on 1/15/08 by Mr. Katz and seconded by Dr. Gelfman, to “call the question” and to end discussion on the matter of the sign. The motion passed, 8-1. Mr. Walsh voted against.

**Mr. Katz** then withdrew his motion of 1/15/08 to approve the sign at location “B”, and Mr. Walsh withdrew his second. The Commission then was looking at the item with a “clean slate.”

**Dr. Gelfman** felt that the sign should be perpendicular to Main St., because it would be more appropriate to the purpose. He felt that this orientation would have not have a negative impact on traffic entering the shopping plaza, “because 90% of the people who go in that driveway know where they’re going.”

**The Chairman** explained that when the perpendicular two-sided sign was approved, it did not conform to the regulations.

**The Planner** explained that she had presented the Commission’s thoughts to the applicant, thinking they would be pleased with the suggestions of the Commission and agreeable to reducing the square footage of the sign to the required 12 ft. The applicant strongly defended the original application, which was for an 18 ft. one-sided sign facing parallel to Main St., noting that these were the particulars that the entire VDC review had been considering. The applicant objected to the changes, saying that there had been many layers of bureaucratic obstacles to get through with the property owner and CVS in order to get the sign-off on the design which had been approved by the VDC. Therefore, the applicant does not wish to consider the changes that were approved at the Commission meeting of 1/15/08.

**Mr. Walsh** explained that his main concern with the VDC’s input at the prior meeting was that “they switched. Their original approval was [for a] parallel orientation of the sign.” The Commission had the approval from the VDC to go forward with a parallel sign. During the meeting, the VDC changed their recommendation to the perpendicular orientation.

**Dr. Gelfman** said “They are only advisory.” The Chairman agreed

**Chairman Mucchetti** explained that it was the two-sided aspect which caused the problem, because it exceeded the square footage allowed by the regulation.

**The Planner** presented a corrected proposed resolution for the Commission’s review.

**Mr. Katz** motioned, seconded by Mr. Walsh, to approve the sign according to the draft resolution prepared by the Planner, which was to approve a one-sided, 18 square-foot free-standing sign at location “B”, oriented parallel to Main Street. The motion passed, 7-1-1, with Dr. Gelfman voting against, and Dr. Autuori abstained.

2. **#2007-143-SP:** Special Permit application under Section 9.2 pursuant to Section 3.6.C.1 of the Ridgefield Zoning Regulations to allow increased coverage on property located at **39 Catoonah Street** in the R-7.5 and R-20 zones. Owner/Appl.: Stephen J. Zemo Residential Properties, LLC. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 12/11/2007. Walked 1/13/2008. Public hearing commenced and closed 1/15/2008. Draft Resolution of Approval requested 1/15/2008. 65-day action period ends 3/20/2008. For action.*

**The Planner** reported that the office had received the rain garden material (instructions for long-term maintenance) from landscape architect, Jane Didona

**Dr. Autuori** motioned, seconded by Mr. Chipouras, to adopt the draft resolution of approval prepared by the Planner. The motion passed, 9-0.

3. **#2007-042-REZ-A:** Pursuant to Sec.8-30g(h) of the Connecticut General Statutes (Affordable Housing Land Use Appeals Procedure), (1) Application for modification to Commission-approved amendment to the zoning regulations for a Housing Opportunity Development (HOD) overlay zone, (2) amendment to the zoning map to show HOD overlay zone and (3) modification of conceptual site plan, to permit residential development on 153± acres of land located at **616 Bennett's Farm Road** in the CDD zone. Owner: Eureka V, LLC. Appl./Auth. Agent: Matthew Ranelli, Esq. *Received 12/11/2007. Public hearing commenced 1/8/2008 and continued to 1/22/2008. 65- day action period to hold public hearing and make a decision ends 2/14/2008. For discussion/ action.*

**Chairman Mucchetti** suggested that the Commission discuss this item in a Special Meeting to be scheduled for Tuesday, January 29, 2008, at 7:30 p.m. The Commission agreed by consensus.

**Attorney Fran Collins**, in response to a comment by Mr. Katz, said he feels that it would be unnecessary to research the WPCA/Sewer District issue (raised by Eric Kristoffersen during the public hearing). He noted that Mr. Walsh had pointed out clearly in the prior meeting that the adopted HOD regulation requires public sewers. It is the applicant's responsibility to make the proper applications and to go through the procedures of other agencies to provide sewers for the project.

**Mr. Collins** said that it would be appropriate for the Commission to ask the Town Attorney and the WPCA to research this issue and find out what the status of the expansion is.

**Mr. Collins** also commented on Attorney Ranelli's response to questions about Statute 8-30g(h) and the viability of the project, and said this issue and the applicant's failure to produce evidence could be considered, among other issues, in deliberations on the application.

**The Chairman** explained that Mr. Collins and Attorney Tom Beecher would be present at the next meeting if there were any further questions on this.

## **NEW ITEMS**

4. **#2008-006-REV(SP):** Request for Revision to the Special Permit, to change the age-restriction from 62-and-older to 55-and-older for the Senior Living Community

known as “Regency at Ridgefield” (formerly “Laurelwood Phase III”), located at **638 Danbury Road** in the ARHD zone. Owner: Toll Land XVII, LP, Applicant/Auth.Agent: Jack Lannamann, Senior Project Mgr. For receipt / schedule public hearing if needed.

**Mr. Katz** motioned to approve the application for Revision to the Special Permit as presented. The Planner suggested that there be some discussion for the record. There was no second to Mr. Katz’s motion.

**Chairman Mucchetti** suggested that the item be added to the agenda for discussion at the February 5, 2008 meeting. Mr. Katz motioned to add the item to the February 5<sup>th</sup> schedule, and was seconded by Dr. Autuori. The motion passed, 9-0.

#### **COMMISSION WALKS**

The Commission noted the previously scheduled site walk, below:

**February 10, 2008**

- **#2008-003-REV(SP): 35-37 Danbury Road and 16 Roberts Lane**, Eppoliti Realty Co., Inc

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

There were no requests for bond release or reduction.

#### **CORRESPONDENCE**

Chairman Mucchetti pointed out the following correspondence.

- Memorandum from the Planner to the Commission re flyer about St. Mary’s cemetery rules. She noted that the matter discussed in the memo had been resolved.

#### **MINUTES**

**Mrs. Willis** motioned, seconded by Dr. Autuori, to approve the minutes of January 8, 2008. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 11:25 p.m.

Respectfully submitted,  
Linda Caponetti  
Recording Secretary