

APPROVED / REVISED  
MINUTES  
INLAND WETLANDS BOARD MEETING

September 8, 2009

Present: Michael Autuori  
Joseph Fossi  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Patrick Walsh, Vice Chairman

Absent: Peter Chipouras  
Rebecca Mucchetti, Chairman

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

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

At 8:10 p.m. Vice Chairman Walsh called the meeting to order.

**PENDING ITEMS**

1. **#2009-047-PR:** Plenary Ruling application as required by Section 7.6 of the Inland Wetlands & Watercourses Regulations for the Town of Ridgefield for regulated activities within the wetlands and upland review areas for piping and reconstruction of watercourses in conjunction with the development of a single family residence on property located on **Second and Third Lanes** in the RA zone. Owner: Wayne E. Wood and The Estate of Charles F. Dean, Jr. Auth. Agent: John F. McCoy, VII, P.E. *Received 6/16/2009. 35 days to close public hearing ends 8/25/2009. Extension granted thru 9/22/2009. Continued public hearing 9/1/2009 and 9/8/2009. (28 of 65 days of extension used thru 9/22/2009).*

[The public hearing remains open, and was continued to 9/22/09.]

2. **#2009-073-SR:** Summary Ruling application under Section 7.5 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield for installation of trenches for a GeoThermal heating and cooling system on property located at **81 Lakeside Drive** in the RA zone. Owners: Christopher Froehlich and Grace D'Onofrio. Appl.: Christopher Froehlich. *65-day action period ends 11/12/2009. For receipt and schedule walk.*

**Vice Chairman Walsh** asked for acknowledgement of receipt of the application and suggested that the item be added to the walk schedule for 9/13/09.

**Mr. Mische** motioned, seconded by Mr. Fossi, to receive the application and to schedule the site walk for 9/13/09. The motion passed, 7-0.

### **BOARD WALKS**

The following item was added to the walk schedule for **September 13, 2009**:

- **#2009-073-SR**: Summary Ruling **81 Lakeside Drive**, Froehlich/ D'Onofrio

The following items were previously scheduled for site walks for **September 13, 2009**:

- **#2009-062-PR**: Plenary Ruling **Water's Edge Way**, Hearing and Hearing, Inc.
- **#2009-056-SP-PR**: Plenary Ruling **Spectacle Lane and Wilton Road East**, Pyramid Luxury Homes Joint Venture

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

- **#2006-021-SR & #2005-010-SR**: request for release of \$3,500.00 balance on bond for **6 Water's Edge Way**, Costigan.

**Chairman Walsh** pointed out that the Board had been asked to take a look at the site, in preparation for a discussion as to whether the bond should be released. The Agent previously reported that the site was stabilized with natural vegetation, but the planting plan had not been followed.

**Mr. Katz** noted that the original bond had been for erosion control and not aesthetics, regrettably, so the conditions of the bond appear to have been met. He agreed that the site was stable, and acknowledged that the primary concern of the bond throughout construction on the site was for stabilization of the soils adjacent to the lake. He suggested that failure to comply with the planting plan should be pointed out in a letter to the property owner, but he supported the release of the bond at this time. Others concurred.

**Mr. Katz** motioned, seconded by Dr. Autuori, to release the bond. The motion passed, 7-0.

### **CORRESPONDENCE**

**Vice Chairman Walsh** referred to correspondence distributed to the Board, which included the following:

- LADA, P.C. review dated 9/3/09 for the **Second Lane** application.

### **MINUTES**

There were no minutes for approval. The **September 1, 2009** minutes were distributed.

Hearing no further discussion, the Chairman adjourned the meeting at 8:14 p.m.

Respectfully submitted,

Linda Caponetti  
Recording Secretary

APPROVED / REVISED  
MINUTES  
PLANNING AND ZONING COMMISSION MEETING

September 8, 2009

Present: Michael Autuori  
Joseph Fossi  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Patrick Walsh, Vice Chairman

Absent: Peter Chipouras  
Rebecca Mucchetti, Chairman

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

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

At 8:15 p.m., Vice Chairman Walsh called the meeting to order.

**PENDING ITEMS**

1. **#2009-051-SP:** Special Permit under Section 9.2 as required by Section 7.8 of the Ridgefield zoning Regulations to provide pole lighting for tennis courts in the recreation area on property located at **126 Eleven Levels Road** in the RAA zone. Owner: West Mountain Estates Homeowner Association. Appl.: Scott Baughman. *Received 6/23/2009. 35 days to close public hearing ends 8/25/2009. Extension granted thru 9/22/2009. Continued public hearing 9/8/2009. Recommend continuation to 9/22/2009. (28 of 65 days extension used thru 9/22/2009).*

[The public hearing remains open, and was continued to 9/22/09.]

2. **#2009-018-VDC:** Village District Application under Section 8.3 required by Section 5.1 of the Ridgefield Zoning Regulations for demolition of vacant retail bank branch and office building (formerly Webster Bank). Property located at **25 Prospect Street** in the CBD zone. Owner/App.: Ridgefield Library Association, Inc. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 3/24/2009 and referred to VDC. Public hearing commenced and closed 5/5/2009. 65- day action period ends 7/9/2009. Tabled 5/12/2009. Extension received. 7/7/2009 acknowledged 65- day extension; extended action period ends 9/12/2009. Acknowledge withdrawal.*

**Vice Chairman Walsh** stated that a withdrawal of the application had been received, and asked for acknowledgement by the Commission.

**Mr. Katz** motioned, seconded by Dr. Autuori, to acknowledge withdrawal of the application. The motion passed, 7-0.

3. **#2009-006-MISC:** Joint meeting with VDC/AAC to *discuss VDC By-Laws*.

**Vice Chairman Walsh** reminded the Commission that the VDC by-laws had been adopted by the Commission in 2008, and suggested that the Commission schedule a date for a future agenda, to discuss the VDC by-laws with the AAC/VDC members. He suggested the 10/13/09 agenda for the discussion.

**Mr. Mische** motioned, seconded by Mr. Fossi, to schedule the item for the 10/13/09 agenda as suggested. The motion passed, 7-0.

4. **#2009-070-A:** Proposed amendment to the Zoning Regulations, **Sections 5.3.C, 5.4.C and 5.5.D**, Permitting limited, ancillary sale of goods in non-retail zones c/o PD. *Distributed 9/1/2009. For discussion/set public hearing date.*

**Vice Chairman Walsh** pointed out the proposed amendment drafted by the Planner and asked for discussion. Planner Brosius noted that the amendment was requested by Zoning Enforcement Officer Baldelli. Mr. Walsh asked the Planner to acquaint the Commission with the history and details of this proposed amendment.

**The Planner** gave examples of situations in which this amendment would be appropriate. She noted a request from a “doggie daycare” business for permission to sell leashes, flea collars, etc. as part of their dog grooming business. In their previous location on Main Street, these items were available for sale. To continue this service at their new location on Danbury Road (north of Copps Hill Plaza), they needed to go through the Zoning Board of Appeals. It resulted in a variance.

Another example given was for the sale of make-up (for people who have had cosmetic surgery) as part of the services of a cosmetologist within the medical center in the CDD zone at 901 Ethan Allen Highway. Hair salons located in B-2 or B-3 zones were used as another example.

Modifying this regulation could be considered and presented at a public hearing, the Planner said, adding that this amendment would not “open up the zone to retail sales, because it specifically says that it’s a very small area of an existing business and it is clearly incidental to the primary use within the zone.” She reported review by legal counsel, which found the amendment “adequate.”

**Mr. McChesney** made a motion, seconded by Mr. Fossi, to schedule a public hearing.

**Mr. Katz** felt that this was not “as benign as counsel and others think it is.” He felt it provided “a foot in the door” of the B-1 zone for B-2 and B-3 uses. He spoke in favor of the ZBA process and warned that ancillary sales could, in actuality, equate to anything under 50%. He said it would be difficult for the Commission to prove

something was economically ancillary, hence, the opportunity to invade the B-1 zone with sales of anything. He supported the public hearing motion.

**Dr. Autuori** said that the amendment might appear to be too restrictive and the applicant would go through the ZBA process anyway. He preferred to have each application “scrutinized by the ZBA and members of the public who cared to look at it.” He also shared Mr. Katz’ concern that the amendment carried with it the potential for intensifying uses, which he was opposed to. He was not in favor of a public hearing, but would not vote against it if the Commission was in favor.

**Mr. Mische** was surprised that the application came through Mr. Baldelli. He felt that gray areas exist, which will be difficult to decide, and calculations will be difficult to make. The calculation, based on the floor plan, is 10% or two hundred sq. ft., whichever is less, the Planner said. This is similar to how it would be presented to the ZBA if it were requested as a variance, she added.

**The Planner** also addressed Mr. Katz and Dr. Autuori’s concern about expanding retail in the B-1 zone. She referred to a specific case (the R & R appeal on Routes 7/35), which actually lists certain items which may be sold. Mr. Katz’s argument was that, once a business is retail, it’s retail. There are limitations which may be imposed, the Planner said.

The Planner said Mr. Baldelli felt that, in certain areas, it is very obvious that there are customary ancillary sales associated with the use. It shouldn’t be necessary for him to send them to the ZBA, which the Planner called a more involved process.

**Mr. Katz** said that the reason for the various B zones was to separate out specific uses, the most important of which is retail sales.

**Mr. Mische** asked the Planner if she and Mr. Baldelli were comfortable with the wording “clearly incidental” in the amendment (as it pertains to the sales area), even if there are no plans submitted. The Planner said that floor plans would be required, proving that the area they are designating for sales would be less than 200 sq. ft. or 10% of their customer floor space.

**Dr. Gelfman** said he shared Mr. Katz’ hesitancy and questioned whether this issue had been a big problem for the office.

**The Planner** said that, as Commissioners, they would not have been aware of the scope of the problem because the applications would not pass through the Commission. She said a public hearing would allow for public comment and would allow Mr. Baldelli to explain his position. Also, there would be an opportunity to explain why legal counsel feels the amendment is defensible.

Mr. McChesney said that lots of places sell retail items – like veterinarians. The Planner agreed, and said that retail at the Quarry Hill Road veterinarian office would

fall into this category. They are currently in violation. The Veterinary office on Route 7 near the Danbury border is another example.

**Dr. Autuori** asked why not have the ZBA handle things that the office can't or doesn't have time to deal with. He sees no problem with that, he said.

**The Planner** said that in some cases she would agree with that argument, but, certainly not in this case. She said the enforcement of this regulation would be handled by Mr. Baldelli, and in the case of a ZBA variance, the enforcement falls to Mr. Baldelli, as well. The burden of enforcement is the same in either situation.

**Mr. Fossi** wanted to move the item to a public hearing, however, he questioned the permitted uses listed. He cited other uses where ancillary sales are going on, whether or not it is recognized: indoor theaters, exercise studios, even funeral parlors.

**Mr. Katz** said that, if the amendment is enacted and businesses can offer ancillary sales, there would be a premium on B-2 property, because B-2 property is less expensive than B-1 property.

**The Planner** stressed the limitation on sales contained within the amendment.

**Mr. Walsh** suggested taking the item to a public hearing after confirming with counsel their confidence that the amendment will hold up and that the intent is going to be to eliminate the need for variances from the ZBA in the future.

Despite reluctance about the amendment from some of the Commissioners, it was agreed to bring the proposed amendment forward to a public hearing.

**Mr. Walsh** noted the motion made earlier by Mr. McChesney and the second from Mr. Fossi to schedule a public hearing for the amendment for 10/20/09, and he called for a vote. The motion passed, 7-0.

5. **#2009-071-A:** Proposed Amendment to the Ridgefield Zoning Regulations, **Section 3.5.F and 3.5.G.**, Bulk Requirements for Residential Lot Coverage and Floor Area. *For discussion.*

**Vice Chairman Walsh** referred to the memorandum, chart and proposed amendment that had been distributed by the Planner at the 9/1/09 meeting. He pointed out that architect Jeff Mose, proponent of the regulation amendment, had suggested some additional revisions to the numbers proposed by the Planner, and the new information was in the packet at the table. He asked the Planner to explain the proposed modifications to the amendment, which may be scheduled for a public hearing if the Commission can agree on the numbers and percentages.

**The Planner** said that the memo she distributed the week prior showed a table comparing the numbers from the existing regulations to those previously proposed by

Mr. Mose, those used by the towns of New Canaan and Wilton, and the numbers she is proposing now (similar to New Canaan's). She reported having requested that Mr. Mose, and architects Douglas MacMillan and Peter Coffin review the newly proposed numbers. The Planner noted that Mr. Mose had made some suggestions/changes that she felt warranted further review by the Commission. She described those changes, which had been inserted into the table where Mr. Mose's previous numbers had been.

The Planner described the reason for the increasing the floor area to make the ratio of lot coverage to floor area closer to 66%, which seems to be the consistent ratio throughout the regulation. The new numbers create a "straight line curve" on the graph in the regulations, showing a consistent increase in the numbers.

The Planner said that New Canaan's numbers seem to be working, because they are not getting many "140% exception" requests for lot coverage, which assumes that what they allow as of right is adequate.

The discussion then turned to setbacks. **Mr. McChesney** asked if New Canaan varies their setbacks. His concern was that a McMansion could be erected 50 ft. from Main Street if the lot was 6 acres. He was in favor of variation of setback based on the size of the house.

**Mr. Mose** said that New Canaan does not have a floor area requirement. Also, New Canaan does not distinguish between ancillary uses, (barns, cabanas, sheds, carriage houses, etc.), and the main house when computing coverage. He mentioned the possibility of a sliding scale setback to go along with the sliding scale coverage. However, this can be applied when you have a standard rectangular lot, he said, but, when irregularly shaped lots are considered, it becomes very difficult. For this reason, he recalled that the Commission abandoned the sliding scales for setbacks when updating the zoning regulations.

**Dr. Autuori** stressed that the only benefit he could see to the amendment was that it would make a "huge" residential house better for the tax base than one which was "only slightly huge." However, if the amendment was to go forward, he said, the setback issue needs to be addressed.

**Mr. McChesney** did not want to connect the two issues. The Planner agreed, saying that it would complicate the process. For the average citizen trying to put a minor addition on their home, having to calculate the sliding scale setbacks would be an extreme burden.

**Dr. Autuori** remained concerned about the "loom factor" of the extremely large homes, and felt that they should have appropriate setbacks dictated by regulation.

**Mr. Katz** asked the Planner to clarify some of the particulars in the table, which she did.

**Mr. MacMillan** noted that other towns calculate lot coverage differently from Ridgefield. New Canaan, for example, does not calculate porches 5 ft. and under into the lot coverage.

**Mr. Katz** said he was not interested in New Canaan's methods. He was unclear why the Planner focused on New Canaan. The Planner said she selected New Canaan because its regulations were easily compared to Ridgefield's. They were also written by Glenn Chalder of Planimetrics and use the same formulas as Ridgefield does.

**Mr. Mose** said that what they are looking for with this amendment is the ability to satisfy the needs of those who wish to have additional structures along with the main house. We need "the tools to be able to not only craft the house, but to also be able to craft the other pieces that go with the house." People generally aren't looking for a 20,000 sq. ft. house. They want an 8,000 sq. ft. house with a barn, a cabana, a shop. He felt the Commission's concern with changing the character of Main Street was unfounded. Main Street character really "hasn't changed, for the most part, for about 120 years," he said

**Dr. Autuori** said that the way the amendment is crafted, you could still wind up with one big, looming house. He suggested crafting a regulation that takes into account the entire layout of the estate with all the additional structures. He suggested re-drafting the wording to use the same numbers but breaking them up.

**Mr. Mose** said it would be very difficult, because you would have to "make that language applicable all the way down the scale."

**Dr. Autuori** felt that the potential for abuse of the intent of the amendment was there.

**Mr. Katz** felt that those in the market for these types of properties would want the additional structure, which would use up some of the coverage.

**Dr. Autuori** asked if there could be wording in the amendment which would set a cap on the portion of the total coverage which could be assigned to the main house.

**Mr. Mose** said that would be possible, but the lower numbers would have to be reworked as well.

**Mr. MacMillan** felt there wouldn't be the need for all the ancillary structures with the smaller lots, and he suggested applying the cap with properties of 3 acres and above.

General discussion continued about whether the "140% exception" to increase lot coverage should be left in place for the larger lots .

**Mr. Katz** asked Mr. Mose at what level he would drop the 140% rule. Mr. Mose said with 1 and 2 acre lots. The Planner confirmed that this was using the higher numbers he had proposed previously. Mr. Mose said that was correct.

**The Planner** reminded them that the 140% rule only applies to lot coverage and it requires an encumbrance of twice the area which is over the allowed area. “In effect, you're spreading the house out, but you're not allowed to also make it a full two-story structure on the entire lot. Mr. Mose pointed out that the floor area numbers need to be adequate in proportion to the allowed lot coverage, and the 140% increase in lot coverage does not always “track” correctly with the allowed floor area for the larger lots.

**Mr. Katz** felt that there was not a clear enough understanding of the issue to take it to a public hearing. He felt the Commission needed to be solidly behind the amendment in order to bring it forward to the public.

**Chairman Walsh** asked Mr. Mose if he could present something which would address the many concerns voiced at the meeting. Dr. Autuori suggested illustrations. Mr. Katz asked for clarity with the 140% rule. Mr. Mische wanted a definitive answer on where the cutoff for the 140% rule would be, saying, “Only that will shift my thinking.”

**Mr. Mose** felt it was a good idea for the lower acreages. However, what they are trying to do, he said, is compensate for a portion of the 140% rule by bumping the numbers for floor area with lots over 2 acres, allowing the square footage as of right, thereby allowing it to “self-govern.” He suggested allowing the 140% rule to “do its job in the lower and the smaller densities.”

**Atty. Jewell** said that there was too large a gap between the 2 acre zone and the 3 acre zone. They were attempting to remedy that, he said, by straightening out the curve of the floor area numbers.

Lengthy discussion followed with architects Jeff Mose and Doug MacMillan and attorney Robert Jewell contributing their opinions and comments.

**Dr. Gelfman** questioned the need for a smoother curve, saying, “lots change so dramatically when you're beyond 2 acres.” Maybe there should be different regulations for these larger lots, he said. They are purchased by a different kind of person and they have different uses. “We're trying to make it all fit,” he said, “and I don't know that we need to.”

**Mr. Mische** was opposed to having the bump in the curve.

**Mr. MacMillan** suggested capping the percentage of the coverage allowed for the main house, but, counting the single story out buildings at a discounted rate.

**Mr. Fossi** suggested that the graph be “cleaned up” so that a clearer understanding of the proposal could be had by all. He was also against penalizing the larger lots.

**Chairman Walsh** attempted to bring the discussion back to what exactly was needed in order to bring the item to a public hearing. What were the various commissioners looking for from the proponents of the amendment in order to make their decisions? He said that, if there were to be a flat rate on the floor area, a guaranteed number on the house and a floating percentage on any outbuildings, this needs to be “fleshed out before it comes back” for discussion. He noted Mr. Katz' desire to eliminate the 140% rule and the need to see the impact that that might have in the various zones. Illustrations have been requested. There is disagreement over whether or not there should be a bump in the curves.

**The Planner** said she did not oppose eliminating the 140% rule on the larger lots if numbers can be arrived at which the applicants and homeowners could feel comfortable with, without “going overboard.” As far as percentage of floor area allocated to outbuildings, she felt Mr. Katz’s point was a good one; a horse farm needs a big barn, for instance, and may “max out” the allowed coverage.

She strongly urged the Commission, when writing a regulation, to always think about how the regulation will be implemented and who will interpret and enforce it. “Think simplicity,” she cautioned, which helps to avoid bad information being disseminated.

**Mr. Mose** was in full agreement. He was unsure that the 140% rule was pertinent to the numbers which the proponents are attempting to come up with. He wanted to avoid merging the two issues.

**Mr. Walsh** said that the Commission needs to know at what point the 140% rule would apply, not that it would be part of the regulation, but, as a point of clarity in order for the Commission to move this forward to a public hearing. He asked the Planner if there was a timetable to meet.

**The Planner** said that she would need to meet with Mr. Mose before any dates could be set.

No decision was made about going forward to a public hearing on the amendment. It was agreed that architect Mose would meet with the Planner to propose a new set of revisions for the Commission’s consideration before finalizing any proposed amendment.

## **NEW ITEMS**

6. **#2009-074-SP:** Special Permit under Section 9.2 as required by Section 7.5.D (Table #6) of the Ridgefield Zoning Regulations for filling and grading on property located at **72 Revere Drive** in the RAAA zone. Owners/Appls.: Desmond & Lynda McGoey. *65 days to commence public hearing ends 11/12/2009. For receipt, schedule walk and public hearing.*

**Vice Chairman Walsh** suggested 9/27/09 for a site walk for the application, and the Planner suggested 10/13/09 for the public hearing.

**Mr. Katz** motioned, seconded by Mr. Mische, to acknowledge receipt of the application and to schedule the site walk and public hearing as suggested. The motion passed, 6-0-1. [Mr. Fossi was out of the room for the vote.]

7. **#2009-075-PRE:** Pre-Submission concept to re-subdivide lot created in a 1969 stipulated judgment on property located at **104 West Mountain Road** in the RAA zone. Owner: Lawrence Bossidy. *For discussion.*

**Vice Chairman Walsh** introduced attorney Robert Jewell, present to explain the reason for the pre-submission conference, for a proposed re-subdivision of property.

Mr. Jewell explained the history of the subdivision and a stipulated judgment from 1969 whereby 2 of the lots would be combined and never subdivided again. Mr. Jewell said his submission on behalf of Mr. Bossidy is based on the fact that, if both parties subject to the stipulation (the Planning and Zoning Commission and Mr. Bossidy, successor to Mr. Tuccio), were in agreement to changes, then the restriction may be lifted, hence, an appeal to the Commission for permission to lift the restriction.

**Dr. Gelfman** recalled that the original stipulation to retain the large lot with the original estate was made because the property owner did not want to dedicate vacant land for open space in the subdivision.

**Mr. Katz** noted that the stipulation allowed the Commission to reconsider restrictions on certain of the lots in the original subdivision, but that the prohibition of subdivision on this property at 104 West Mountain Road (a combination of lots) did not include that option. He read from the original document which stated that the property shall never thereafter be subdivided.

Following discussion of the language of the stipulated judgment prohibiting further subdivision of the lots, and the assumed reasons for the restriction, it was determined that an examination of the minutes for the meetings held in the 1960's was appropriate. The matter may be discussed further dependent on the findings in the minutes. Mr. Jewell would investigate the minutes.

## COMMISSION WALKS

The following item was scheduled for site walk for **September 27, 2009:**

- **#2009-074-SP:** Special Permit **72 Revere Drive**, McGoey

The following items were previously scheduled for sit walks for **September 13, 2009:**

- **#2009-056-SP-PR:** Special Permit **Spectacle Lane and Wilton Road East**, Pyramid Luxury Homes Joint Venture
- **#2009-064-SP:** Special Permit **61 Sugar Loaf Mountain Road**, Theys
- **#2009-066-SP:** Special Permit **15 Hidden Lake Court**, Falotico

- **#2009-069-REV(SP): Revision 1 Ethan Allen Highway, (Snap Fitness 24-7)**  
Keough
- **#2009-072-SP: Special Permit 23 McKeon Place, Martinelli**

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

There were no requests for bond release or reduction.

#### **CORRESPONDENCE**

There was no correspondence.

#### **MINUTES**

There were no minutes for approval. The **September 1, 2009** minutes were distributed.

Hearing no further discussion, the Chairman adjourned the meeting at 9:37 p.m.

Respectfully submitted,

Linda Caponetti  
Recording Secretary

APPROVED / REVISED  
MINUTES  
AQUIFER PROTECTION AGENCY

September 8, 2009

Present: Michael Autuori  
Joseph Fossi  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Patrick Walsh, Vice Chairman

Absent: Peter Chipouras  
Rebecca Mucchetti, Chairman

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

At 9:38 p.m., Vice Chairman Walsh called the meeting to order.

**PENDING ITEMS**

There were no pending items.

**NEW ITEMS**

There were no new items.

**CORRESPONDENCE**

There was no correspondence.

**MINUTES**

**Mr. Katz** motioned, seconded by Mr. Mische, to approve the minutes of **June 9, 2009**.  
The motion passed, 7-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:39 p.m.

Respectfully submitted,

Linda Caponetti  
Recording Secretary