

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD

February 7, 2006

Present: Michael Autuori
Joseph Fossi
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Walter Slavin
Patrick Walsh
Lillian Willis

Also Present: Betty Brosius, Inland Wetlands Agent

A public hearing was held prior to the meeting.

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

PENDING ITEMS

1. **#2005-165-PD:** Summary Ruling application for pond dredging on property located at **31Country Club Road** in the RAA zone. Owner: Stephen and Mary Hicks.
Appl./Auth. Agent: Nazzaro, Inc. 65-day action period ends 2/9/06, extension granted to 2/14/06. Received 12/6/05, tabled 1/4/06, walked 1/8/06, tabled 1/10/06. For action.

Applicant Gene Nazzarro was present to discuss the application. The Chairman asked the Inland Wetlands Agent to read the Conservation Commission correspondence into the record. Letters from January 20th and January 6th were read. The Conservation Commission made several suggestions about mitigation planting, preservation of existing vegetation, and requested consideration for a vegetated “shelf” in the pond.

Mr. Nazzarro referenced a letter from Kate Throckmorton of Environmental Land Solutions (ELS), who inspected the site and evaluated the proposal relative to the proposed location of the pond and the surrounding wetlands. She offered comments in response to the Conservation Commission’s concerns, including suggestions for conditions about landscaping around the pond and mitigation plantings.

Mr. Nazzarro explained that the shelf, which he refers to as an “aquatic shelf,” is troublesome in his opinion, based on his experience. The shallow water above the shelf is warmer than the remaining pond and the conditions encourage the growth of algae bloom, which then spreads throughout the pond. He agrees with the idea of the mitigation buffer around the pond and the preservation of existing trees for shade, but

suggests that a 2:1 slope in the pond is better than a shelf, and helps to maintain a cooler water temperature that discourages algae growth.

Mc. McChesney asked if the water level fluctuates in the summer, and if it drops in the hot season. Mr. Nazzarro confirmed that the water level would go down about a foot in the dry season, which would then put the aquatic shelf even closer to the surface, or expose it entirely.

Dr. Autuori asked if the shelf acts as a kind of transition between the banks and the pond, and Mr. Nazzarro said yes, but suggests it would be possible to transition from a 3:1 slope for about 6-8 feet at the edge of the pond, increasing to a 2:1 slope thereafter.

Mrs. Willis asked for clarification of the “intermittent boulders” described in the application materials. She is concerned that there be breaks with vegetation to allow the passage of wildlife into the pond. The applicant confirmed that the intent is to preserve the existing conditions around the pond, where there are some clusters of boulders and some others spaced intermittently. There is no intent to line the edge of the pond with large rocks.

Dr. Autuori asked about the “reach” of the machine used to do the work, and if it would be necessary to disturb a large area around the pond. Mr. Nazzarro explained that the machine has a 50-foot reach into the pond, swinging around to a 50-foot reach to the spoils area. He could essentially leave the machine in one place to do the work, and there is no need to move it around the pond.

Mr. Katz suggested that Kate Throckmorton’s letter and recommendations be referenced in any approval of this application, and that a 3:1 slope for about 6-8 feet on sections of the pond edge be permitted, increasing to a 2:1 slope thereafter.

Mrs. Willis asked that Japanese Barberry as well as Japanese Knotweed be removed from the site.

Mr. McChesney motioned, seconded by Mr. Slavin, to ask the Agent to draft a resolution of approval, subject to customary conditions and the suggestions of Mr. Katz, referencing the 3:1 to 2:1 slopes and the letter of the ELS consultant, and the comment on removal of invasive plants made by Mrs. Willis.

The motion to draft the approval passed by a vote of 9-0. The resolution will come back for final vote when it is prepared.

2. **#2005-166-PD:** Summary Ruling application for pond dredging and State Road drainage improvements on property located at **143 Wilton Road West** in the RAA zone. Owner: Robert MacAvoy. Appl./Auth. Agent: Nazzaro, Inc. *65-day action period ends 2/9/06, extension granted to 2/14/06. Received 12/6/05, tabled 1/4/06, walked 1/8/06, tabled 1/10/06. For action.*

Gene Nazzarro was present to discuss the application. The Chairman asked the Agent to read the letters dated January 20th and February 6th from the Conservation Commission. The Commission requested more detail about the sediment basin at the pond inlet, and suggested mitigation plantings and maintenance of the vegetated buffer on the east side of the pond. They also recommended a vegetated shelf in the pond.

The Board referred to the discussion for the previous application for pond dredging at 31 Country Club, pertaining to the aquatic shelf. The applicant confirmed that his comments on this issue are the same; he does not recommend the shelf, but can provide grading in some locations of the pond for a transition from 3:1 to 2:1 slope.

The applicant distributed additional notes about procedures and methods to be used for the pond dredging, including more detail about the sediment basin. The Chairman asked the Agent to read these comments into the record.

Mr. Nazzarro noted that there is an existing, healthy vegetated buffer on the east side of the pond and the intention is to maintain it. He has spoken to the property owner about the importance of this buffer. On the western shore there are tree limbs that need to be trimmed, but no trees to be removed.

Mr. Katz motioned to ask the Agent to draft an approval of the application referencing customary conditions, and the notes and details furnished by the applicant. Mr. Walsh seconded the motion.

The motion passed by a vote of 9-0. The resolution will be provided for a final vote when it is prepared.

3. **#2005-167-PD:** Summary Ruling application for pond dredging on property located at **352 Florida Hill Road** in the RAA zone. Owner: Steven Pearson and Margaret Gair. Appl./Auth. Agent: Nazzarro, Inc. *65-day action period ends 2/9/06, extension granted to 2/14/06. Received 12/6/05, tabled 1/4/06, walked 1/8/06, tabled 1/10/06. For action.*

Gene Nazzarro was present to discuss the application. The Chairman asked the Agent to read the letters dated January 20th and February 6th from the Conservation Commission. The Commission requested more detail about the settling basin and erosion control. They also recommended a vegetated shelf in the pond.

The Board referred to the discussion for the previous application for pond dredging at 31 Country Club, pertaining to the aquatic shelf. The applicant confirmed that his comments on this issue are the same; he does not recommend the shelf, but can provide grading in some locations of the pond for a transition from 3:1 to 2:1 slope.

Mr. Nazzarro distributed additional notes regarding the procedure for dredging the pond, including erosion and sedimentation control. He provided a detail of a Type II Sedimentation Basin from the *2002 Connecticut Guidelines for Erosion and*

Sedimentation Control, a publication of the Connecticut Department of Environmental Protection. This basin works better for sediment control than other methods, such as the “dirt bag” filtration system. He uses crushed stone at the bottom of the basin as recommended by the DEP, to keep sediments out of the pumps, which are buried inside, and it works well. There are two discharge pumps and discharge hoses.

The applicant also described extra measures to be taken for erosion control, including an extra ring of silt fence and haybales. He keeps extra silt fence and haybales on the site for repairs and for use if needed in additional areas. The practice of running discharge water through the woods has worked for him in other situations; there is grass, leaves and other vegetation to prevent erosion. His proposal includes measures that have worked well in other situations, learned from practical experience.

Dr. Autuori motioned to draft a resolution of approval, seconded by Mr. Slavin. The resolution will incorporate the methods and procedures offered by Mr. Nazzarro in writing and testimony.

The motion passed by a vote of 9-0. The draft resolution will come back for final vote when it is prepared.

4. **#2006-002-SR:** Summary Ruling application for installation of driveway crossing intermittent watercourse in two places, property located on the south side of **Old Sib Road** in an RAA zone. Owner: Crosby R. Smith et al. Appl.: Sturges Brothers, Inc., Auth. Agent: Donnelly, McNamara and Gustafson. *Received 1/10/06. Walked 1/22/06. 65-day action period ends 3/16/06. For action.*

The Chairman asked the Agent for an update on the application. The Agent reported that the Town Engineer recently received copies of the new bottomless culvert design for the watercourse crossings, and he has not had time to prepare comments. Also, the Board received comments dated February 7th from the Conservation Commission and there are items that need to be addressed by the applicant. The Agent suggests tabling discussion on the application for two weeks.

By consensus, the Board agreed to table the application until 2/21/06.

5. **DISCUSS SCHEDULING:** **#2005-006-A-IW:** Commission initiated amendments to the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield, Connecticut, to increase the size of the upland review areas; Sec. 4.5 and to clarify Agent authority; under Sec. 13 “Enforcement” by adding new Sec. 13.1.1(a) and new Sec. 13.1.1(b). *Public hearing closed 6/7/05. (previously scheduled for discussion on 2/14/06)*

The Chairman noted that the discussion on Upland Review Area amendments to the regulations has been scheduled for March 14th, and as of this date the agenda for March 7th appears to be open. It was suggested that the URA discussion be moved forward to March 7th. By consensus, the Board agreed to re-schedule the discussion as requested.

NEW ITEMS

There were no new items.

BOARD WALKS

There were no walks to be scheduled.

REQUESTS FOR BOND RELEASE / REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

There was no correspondence.

MINUTES

Mrs. Willis motioned to approve the minutes of January 24, 2006 with one minor correction in item #1. Mr. Slavin seconded the motion. The motion to approve the minutes passed by a vote of 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 8:29 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION

February 7, 2006

Present: Michael Autuori
Joseph Fossi
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Walter Slavin
Patrick Walsh
Lillian Willis

Also Present: Betty Brosius, Director of Planning

A public hearing was held prior to the meeting.

At 8:30 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2005-175-R:** Proposed re-subdivision of 3.061 acres to create two building lots on property located on **Lot #6, Old Still Road** in the RAA zone. Owners/Applicants: Christina and Charles Stietzel. *Received 12/13/05. Walked 1/8/06. Public hearing commenced 2/7/06. 65-day action period ends 4/13/06. For action.*

Mr. Katz motioned, seconded by Mr. Fossi, to ask the Planner to draft a favorable resolution for the application, with standard conditions and a condition to scale back the extended clearing on lot 6B for the proposed stockpile, moving the disturbance to another location to avoid excess clearing. The drafting error for the 588 elevation (should be 568) on the retaining wall for Lot 6A should be corrected.

In discussion, Mrs. Willis suggested additional conditions to include the provision for a parking area for two cars at the entrance to the trail on the adjoining open space trail, Infiltration devices should be used for footing drains if possible, and a conservation easement should be applied to the northern part of Lot 6B as offered by the applicant. The Commission also supported the recommendation for Site Plan Approval prior to development of the individual lots.

The motion to draft the approval passed by a vote of 9-0.

NEW ITEMS

2. **#2006-006-REV:** request for Revision to condition #3 Four-Lot Subdivision Adopted Resolution of Approval (#2005-160-S) to permit house to remain on lots 2 and 3 when

map is filed for property located at **593 Main Street** in the SD R-20 zone. Owner: Richard F. Mele. Appl.: Richard F. Mele and Joseph R. Coffey. For receipt/action.

The Chairman asked the Planner to comment on the request. The Planner referenced the letter from Richard Mele, and explained the dilemma of his having to remove his house prior to the filing of the map. The Planner confirmed that the map must be filed, according to State statutes, by 11/7/06.

Mr. McChesney suggested that the Commission ask for a legal opinion on the question. Mr. Katz noted that the goal would be to (1) preserve the integrity of the existing house while allowing the map to be filed, and (2) secure an affidavit or other binding document to ensure that the house will be demolished at some point in the future. A bond could also be posted, if permitted.

The Planner cautioned that the Commission may not be able to grant the request without violating its own regulations, but agreed that an opinion from land use counsel is needed. The opinion will be solicited as soon as possible, and the matter tabled pending receipt of a response.

3. **#2006-007-REV:** request for Revision to Special Permit under Sec. 312.02E as required by Sec. 333.0 of the Ridgefield Zoning Regulations to erect an electronic scoreboard at Scalzo Field located on Prospect Ridge Road in the RAA zone. Owner: Town of Ridgefield. Appl./Auth. Agent: Bruce Yuen, President, Ridgefield Little League. 65-day action period ends 4/13/06. For receipt and schedule walk.

Dr Autuori made a motion to acknowledge receipt of the application, seconded by Mr. Slavin. The motion passed 9-0.

The Chairman noted that the installation of the requested scoreboard would require bringing electricity to the field, which might open the door for a request for nighttime lighting. All acknowledged that concern, but agreed that the current application is only for the scoreboard and any additional lighting would require additional special permitting.

Mr. Walsh suggested that the scoreboard be moved closer to Left Center Field, so that it would face toward the adjacent softball field and hockey rink, and not the homes across the street.

The Chairman suggested that Commission members walk the site individually. Mr. Katz offered to measure the height of the existing scoreboard on the baseball field behind the old high school, as a comparison.

The Planner noted that the proposed sign would not have the “Pepsi” logo as shown on photographs in the application – the photos are of existing scoreboards in other parts of Town. The applicant proposes only a notation at the bottom of the scoreboard, to indicate the name of the donor.

The application will come back to the table for discussion following the individual site walks. The Planner will ask the applicant if the scoreboard can be moved closer to Left Center Field.

COMMISSION WALKS

It was decided that the Commissioners would individually walk the Scalzo Field site (item #3, above) for the scoreboard application, and no special meeting was scheduled.

REQUESTS FOR BOND RELEASE / REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

The Chairman noted the following correspondence in the packet:

- Memo from the Planner and copy of the new booklet produced by the Ridgefield Affordable Housing Committee for Accessory Apartments.
- Letter from Madeleine Corbin of the Ridgefield Design Council, regarding the proposal by the Police Department for a new facility on the East Ridge site. (Dr. Gelfman also referenced AAC Chairman John Kinnear's letter in the Ridgefield Press).
- Memo from the Planner to the First Selectman, regarding the need for a new vehicle for the P&Z department.
- First Draft of Section 7, proposed revisions to the Zoning Regulations, for discussion with consultant Glenn Chalder.
- Announcement of the Annual Meeting of the Confederation of Planning and Zoning Agencies, to be held in March.
- Announcement of Economic Development training for "Community Builders," promoted by Northeast Utilities.

Mr. McChesney asked the Chairman to give a brief over-view of items discussed by the Board of Selectmen at its meeting held on February 1st. Commissioners Mucchetti, Katz and McChesney were in attendance. Chairman Mucchetti gave a brief report on the following:

- The Police Department's presentation on the need for new facilities.
- Presentation by the Tuccios (developers) regarding "Patriot's Way," a proposal for 30 age-restricted, 3300+ s.f., \$1.4 million homes on Danbury Road, requiring approval to expand the Town's sewer district.
- The Economic Development Commission, and the Town's plan to consult with an expert in economic development (reported by Mr. McChesney).

MINUTES

Dr. Autuori motioned, seconded by Mr. Slavin, to approve the minutes of January 24, 2006. Mrs. Willis noted a correction on page 6 and Mr. Slavin pointed out the need to correct the recording of the vote on item #1 (it should be 8-0-1, with one abstained). The minutes were approved with corrections, by a vote of 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning