

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

February 19, 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 public hearing was held prior to the meeting.

At 8:54 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2008-004-PR: (xr-95129-SR)** Plenary Ruling application for filling and grading of 690± of wetlands and disturbance within upland review areas in conjunction with construction of single family residence. Property located on **Lots 72-75 Third Lane** in the RA zone. Owners/Apps.: Wayne E. Wood and Charles F. Dean, Jr. Auth. Agent: John F. McCoy VII, PE. *Received 1/15/2008. Walked 2/10/2008. Retention of a consultant, at owner's expense, authorized by Board 2/12/2008. Public hearing commenced 2/19/2008 and continued to 3/11/08. 35- day action period ends 3/25/2008.*

Chairman Mucchetti noted that the hearing had been continued to 3/11/08, and discussion on the item was tabled.

2. **#2008-007-SR:** Summary Ruling Application for pergola construction, expanding and renovating terrace areas around existing pool and landscaping in buffer of wetlands, 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. *65-day action period or commence public hearing ends 3/27/2008. Received 1/22/2008. Walked 2/10/2008. Tabled 2/12/2008. Determine significance.*

The Chairman introduced the landscape architect, James DeLalla.

Mr. DeLalla described the property and the project, referring to drawings he had displayed. He said the purpose of the application was to renovate the existing pool

area. The application, he said, calls for the removal of the existing concrete pool deck, to be replaced with stone decking surrounding the pool. Also, the patio area would be expanded to include a sitting area on the south side of the pool. A 3 ½' – 4' high stone retaining wall would be created to prevent “grading off,” and a pergola would be constructed on the patio.

The construction area is within the 50' wetlands BUFFER, and, with all the grading, would disturb approximately 1600'. Mr. Katz confirmed that the disturbance would be in the setback and not in the wetland itself. The work would temporarily disturb an additional 1500'. The applicant intends to mitigate the impacts with the establishment of some additional buffer areas adjacent to the wetlands. The area below the wall, which had been lawn, will become a wetlands buffer area, planted with Viburnum, Summersweet, Winterberry, Witchhazel, and Dogwood. After a meeting with the Conservation Commission, it was agreed that the applicant would remove invasive species along the stream, and also install a physical demarcation of the lawn and the planted buffer, which would prevent any further intrusion. This would be accomplished by extending the stone retaining wall, which would become a low rubble wall, (approx. 18" h), within the plantings.

Mrs. Willis asked if the additional Barberry along the driveway would be removed, as well. Mr. DeLalla said that it would.

Mr. Mische asked why the stream was termed “intermittent” when it appeared to be otherwise. Mr. DeLalla agreed that it may run all the time. Mr. Mische wanted confirmation that the work would take place within the 50' wetland buffer area, and not beyond, and he also commented that the expansion described as “slightly larger” was actually 60% larger.

Mr. Katz motioned to approve the application as presented, citing reasons from Sec.10.2 of the wetlands regulations, and pointing out that the application does not offend any of the criteria under which the Board must consider the application. The motion was seconded by Mrs. Willis.

Kitsey Snow, of the Conservation Commission, read its letter to the Board. Members approved the removal of the lawn, and asked that the area be placed in a Conservation Easement to prevent the possibility of the area returning to lawn in the future. They requested that stones be placed along the border of the lawn to prevent further mowing. They also noted other invasive species along the stream and behind the house, and requested that they be removed.

Dr. Autuori proposed an amendment to the motion, to require a Conservation Easement in the upland review area, to prevent future homeowners from destroying the planted mitigation buffer by the stream. The motion was seconded by Mrs. Willis. The motion failed by a vote of 3-6, with Mrs. Willis, Dr. Autuori, and Mr. Chipouras in favor of the easement, and the remaining 6 Board members against it.

Chairman Mucchetti asked the maker of the motion if he had reviewed the advanced proposed Resolution of Approval prepared by the Agent, which approved the application as presented on the drawings and in the field, with the addition of the low stone wall.

Mr. Mische was concerned about any activity within the wetland setback. There was some discussion. The Chairman defined the difference between the wetland review area, (activities permitted after review), and the incorrect term “wetland setback,” (which implies that activities are prohibited).

The Planner explained that the extensive mitigation being done next to the stream is the “trade off” for the development within the buffer area. The end result is better for the wetland than the lawn which exists now, she said, because the buffer of plantings will act as filtration next to what she agreed was a very active stream.

The Chairman then called the vote on the motion to approve the application, as presented. The motion passed, 9-0.

BOARD WALKS

There were no site walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti noted the following correspondence:

- Copy of letter from Inland Wetlands Agent Aimee Pardee to the owners of 148 Shadow Lake Road.

MINUTES

Mrs. Willis motioned to approve the minutes of 2/5/08, seconded by Dr. Autuori. The motion passed, 8-1. Mr. Fossi abstained.

Hearing no further discussion, the Chairman adjourned the meeting at 9:11 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

February 19, 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 9:12 p.m., Chairman Mucchetti called the meeting to order. She asked the Commission to consider item #4 first on the agenda, since the applicant for that item was the only member of the public in the room. The Commission agreed by consensus, and item #4 was handled first under the agenda.

PENDING ITEMS

1. **#2008-001-SP:** Special Permit under Section 9.2 required by Section 3.4.D.3 of the Ridgefield Zoning Regulations to permit the placement of a garage in the front yard on property located at **313 Barrack Hill Road** in the RAA zone. Owners: Richard C. Miles and Francis D. Cakavell. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. Received 1/8/2008. Walked 1/13/2008. Public hearing commenced 2/19/2008, continued to 3/11/08. 65- day action period ends 4/24/2008.

Chairman Mucchetti noted that the hearing had been continued to 3/11/08, and discussion on the item was tabled.

2. **#2008-013-REZ:** petition to rezone, pursuant to Sec. 9.2.C of the Ridgefield Zoning Regulations. Property located on a portion of the north side of **Sunset Lane**, from R-20 to R-7.5 and **30 Grove Street** from R-20 to B-2. Owners/Appls.: Gary and Chester Zawacki. Auth. Agent: Matthew Ranelli, Esq. 65 days to commence public hearing ends 4/24/2008. For receipt, schedule walk and public hearing.

Chairman Mucchetti suggested 3/9/08 for a site walk for this item, and 4/1/08 for a public hearing. Mr. Katz motioned to receive the application and to schedule a site

walk and public hearing as suggested by the Chairman. The motion was seconded by Dr. Autuori, and passed by a vote of 9-0.

Mr. Katz noted that he would be recusing himself from discussion on the item when it came to the table for hearing and consideration, because he has an interest in one of the properties within the affected area.

NEW ITEMS

3. **#2008-014-REF:** Referral under Section 8-24 of the Connecticut General Statutes for resolution of encroachment on Town owned open space. Property located at **176/178 Old Branchville Road** in the RAA zone. Town of Ridgefield. *For receipt, discussion/action.*

Chairman Mucchetti asked the Planner to explain the nature of the open space encroachment, and the proposed resolution to the issue.

The Planner explained that the two lots are served by the same access way. A paved driveway was installed to Lot #4, and it was determined that the asphalt did not fall completely within the limits of the 25-foot access way. The attorney for the owner of Lot #3, who is also the owner of the access way, had gone to the Bd. of Selectmen to attempt to correct the problem. An easement was discussed. However, the Planner noted the “better solution,” which involved simply shifting the lot lines of the access way, since there is deeded Open Space on either side of it, to encompass the paved driveway.

The Chairman read comments from the Conservation Commission, and their support for a lot-line adjustment to resolve the encroachment.

Dr. Autuori motioned to send a favorable report to the Board of Selectmen, to support the position of the Conservation Commission. The motion was seconded by Mr. Katz and passed by a vote of 9-0.

4. **#2008-015-SIGN:** Request under Section 7.2.C.10. of the Ridgefield Zoning Regulations for placement of a Community sign on Town owned property, **Town Hall, 400 Main Street** in the CBD zone. Appl.: Ridgefield Action Committee for the Environment (R.A.C.E.) Owner: Town of Ridgefield. *For receipt/action.*

Heidi Yeranossian, representing R.A.C.E., described their sign, which they hoped to install in front of Town Hall for two weeks in an effort to raise community awareness of the CT CleanEnergyOptions program. She explained how the campaign to increase awareness and enlist supporters would work. The sign would look like a house, and, like the United Way thermometers do, would record their progress. For every 100 sign ups for the Connecticut CleanEnergyOptions program, the Town would get a solar panel (worth \$20,000). Ms. Yeranossian also noted that Ridgefield has made a commitment to achieve 20% of its energy needs from Clean Energy by the year 2010.

She reported that First Selectman, Rudy Marconi, has challenged other area Towns to a contest to see who can enlist the most support for this CleanEnergyOption program, by way of the number of sign ups they could receive by Earth Day in April.

Chairman Mucchetti asked where, specifically, this 4' X 10' sign would be installed.

Planner Brosius said the terrace in front of Town Hall would be the recommended location. Ms. Yeranossian was agreeable to that. She explained that the sign would be moved to another location in Town after the two week period was up, possibly in front of the recycling center or on Rte. 35 near the Recreation Center.

The Chairman asked the Planner if R.A.C.E. would need to come back for a permit for each location, or if the permit would go with the sign. The Planner said that each location would be looked at separately.

The Chairman confirmed that the action that night would be specific to the two week time period in front of Town Hall only.

Mr. Mische asked what precautions would be taken to keep the sign from blowing over. The Planner also was concerned that there be some kind of anchoring for safety. She suggested the applicant speak with the Building Department.

Mr. Katz motioned to approve the request for display of the temporary sign at Town Hall from 2/25/08 through 3/9/08. The motion passed, 9-0.

5. Schedule date for meeting with consultant, Ridgefield Center Study.

Chairman Mucchetti asked the Commission to schedule a Special Meeting / work session for Monday, 3/3/08, to begin work on the Ridgefield Center Study with the consultant Milone & MacBroom. The consultant is not available for 2/26/08, but the Commission would like to schedule future meetings for the last Tuesday in each month. The Commission agreed to the 3/3/08 schedule by consensus, with all but Dr. Autuori able to attend.

COMMISSION WALKS

The Commission scheduled a site walk for **Sunset Lane and 30 Grove Street** (item #2 on the agenda) for March 9, 2008, as noted above.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti noted the following correspondence:

- Cease & Desist sent by ZEO Richard Baldelli to the Cabelli's on Canterbury Lane

- Copy of letter sent by R.O.S.A. to the Office of Policy and Management, re the Commission's decision on the Eureka application

MINUTES

Mrs. Willis motioned, seconded by Dr. Autuori, to approve the minutes of February 5, 2008. Mrs. Willis suggested minor corrections, some accepted and some rejected by consensus. The motion to approve the minutes with the corrections passed by a vote of 8-0-1, with Mr. Fossi abstained.

Hearing no further discussion, the Chairman adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary