

APPROVED / REVISED  
MINUTES  
INLAND WETLANDS BOARD MEETING

March 6, 2007

Present:

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

Absent:

James McChesney

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

*Public hearings for the Planning and Zoning Commission were held prior to the meeting.*

At 9:14 p.m. Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

1. **#2001-102-REZ-A-SR-SPA:** request for renewal of the decision of NO IMPACT for the Summary Ruling application for property located at **509 Main Street**. Owners: Rocco and Candida Valeri. Auth. Agent: Matthew Ranelli, Esq. *For action.*

**Attorney Ranelli** said that the applicants had received an approval (or a determination of “no impact”) on April 16, 2002, which remains in force for five years. This determination will expire on April 16, 2007, and the applicants are requesting that it be extended. The status of the project, according to Mr. Ranelli, is that the Valeri's intend to build this project, which has an affordable housing component. They are currently looking for a buyer or developer to take charge of the project, as they have come to the conclusion that it is beyond the scope of what they are prepared to undertake on their own. However, they think it’s a “terrific, worthwhile project,” and one that they are committed to.

**Dr. Autuori** asked if anything has changed since the last approval was granted. Mr. Ranelli responded that there have been no changes in conditions on the site.

**Mr. Katz**, commenting on the fact that the Wetlands Board would be acting totally independently from the Zoning Commission, (which will later be asked to extend the site plan approval), asked if an approval by the Wetlands Board would force an approval by the Zoning Commission, as well. The Agent/Planner said it would not.

**Chairman Mucchetti** told the Board that what was at the table was a request for them to renew the decision of “no impact” for the above property.

**Mr. Katz** said that, given the uncertainty with what the legislature may or may not do with regard to 8-30g, he felt that a five year term of approval was too long.

**Dr. Gelfman** said that reference to 8-30g was not appropriate. He explained that there is no wetland on this property and this is a wetland board.

**Mr. Katz** asked if it was not within the Board's right to extend the determination for fewer than five years. Agent Brosius replied, "It's for no more than five years." Mr. Katz then asked if the term could conceivably be granted for two years, for example. "It could," Ms. Brosius replied.

**Dr. Gelfman** made a motion, seconded by Dr. Autuori, to approve the five year extension of the Summary Ruling decision of no wetlands impact, through 4/16/2012. The motion passed, 6-2. Mr. Katz and Mr. Slavin were opposed.

**Dr. Autuori** added that he had not originally voted for the project, but, since the Board found "no impact," he felt it appropriate to grant the extension, and that is why he seconded the motion.

## **BOARD WALKS**

**Chairman Mucchetti** asked for approval to raise an item to the agenda at the request of the Agent, to schedule a site walk for **Canterbury Lane, Lot #1**, where the owner is requesting Zoning Compliance for a new residence.

**Agent Brosius** said that there is no final Certificate of Occupancy yet on this property, and she asked that the Board walk the property prior to staff signing off on the wetlands issues. She explained that Zoning Enforcement Officer Richard Baldelli is still in the process of gathering information prior to issuing a zoning certificate of compliance, which would then need to be followed by a sign off from the Wetlands Inspector. However, she reported that Wetlands Inspector Aimee Pardee recently noticed that the wetlands work required by a prior permit had not been done. Agent Brosius felt that the only way a Certificate of Occupancy should be granted would be with a requirement for the applicants to post a bond to insure that the wetlands work would be completed. "There are some pipes in the ground, but the rip rap is not there" and the plantings have not gone in, she said. Ms. Brosius requested that the Board walk the site so that they can see for themselves what has and has not been done, in order to assist the staff with the determination of a bond amount.

**Dr. Autuori** was concerned that proper permission needed to be granted before the Board would walk the site.

**Chairman Mucchetti** said that the ads showing the site have apparently been altered and misrepresent the degree of completion at the site, because, in actuality, it is virtually a raw construction site.

**Ms. Willis** commented that this is such a difficult site that everything should be up to standard before even considering signing off. She didn't understand why the Board even needed to walk it at this stage.

**Ms. Brosius** explained that the office needed the Board's support in setting the bond amount, and also that she wanted the Board to see the lack of progress on the site.

**Mr. Katz** motioned, seconded by Dr. Gelfman, to schedule a site walk as requested by the Agent. The date for the walk will be the same as a site walk to be scheduled by the Planning and Zoning Commission during its meeting. [Date was set at 3/18/07.]

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

There were no requests for bond release or reduction.

## **CORRESPONDENCE**

- Field report from Kate Throckmorton of Environmental Land Solutions, re: **11 Old Stagecoach Road**.

**The Chairman** reported that the field report from Environmental Land Solutions says that earth work operations continue above the Derby Field's retaining walls. She did not recall the Board's ever approving any work above the retaining walls. The Agent/Planner said the work is more likely to be related to zoning regulations, and the Agent will ask the Zoning Enforcement Officer to inspect the site to determine whether additional permits are required.

**The Agent** said that what had been reported to them in the past was that the amount of earth being moved would be less than one hundred yards. This doesn't appear to be the case, she said, which is why she is requesting the Zoning Officer's involvement.

**Mr. Katz** questioned whether this was a wetlands issue. The Chairman said that it was not, but had come up in correspondence related to the ongoing work at the site.

## **MINUTES**

**Mrs. Willis** motioned, seconded by Mr. Fossi, to approve the minutes of February 20, 2007. The motion passed, 8-0. Chairman Mucchetti complimented Recording Secretary Linda Caponetti on the excellent quality and accuracy of the minutes.

Hearing no further discussion, the Chairman adjourned the meeting at 9:27 p.m.

Respectfully submitted,

Linda Caponetti  
Recording Secretary

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Lillian Willis

Absent: James McChesney

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

*Public hearings were held prior to the meeting.*

At 9:28 p.m., Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

1. **#2007-004-SP:** Application for Special Permit under Sec. 312.0 as required by Sec. 411.0B of the Ridgefield Zoning Regulations, (1) to demolish an existing office/residential structure and replace with new 7,756 s.f. commercial structure at **35/37 Danbury Road**, and (2) construct new 10,026 s.f. commercial structure on adjoining property at **16 Roberts Lane**, on properties located in the B-1 zone. Owner: Eppoliti Realty Corporation. Auth. Agent: Douglas MacMillan, Architect. *Received 2/6/2007, walked 2/11/2007, public hearing commenced 3/6/2007. 65-day action period ends 5/10/2007. For action.*

**Dr. Autuori** made a motion, seconded by Dr. Gelfman, to table discussion on the application because the hearing had been continued to 3/20/07. The motion passed, 8-0.

2. **#2007-009-REV:** Revision to Special Permit under Section 312.02.E. as required by Section 411.0 of the Ridgefield Zoning Regulations to permit the operation of a ski and sport retail establishment in the main building located at **32-34 Danbury Road** (formerly Pamby Motors) in the B-1 zone. Appl.: Ridgefield Ski & Sport, LLC. Owner: JMF Realty, LLC. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 2/13/2007. Walked 2/25/2007. 65-day action period ends 4/19/2007. For action.*

**Attorney Robert Jewell**, representing both the owner and the applicant, proceeded to describe for the Commission how the lot known as 32-34 Danbury Road is currently configured. (On the Assessor's map, it is shown as lot #E14123.)

It is approximately 0.476 acres or 20,735 sq. ft. currently improved by two buildings. The building to the front of the lot was formerly the Pamby Motors Jeep dealership. The building to the rear is the Pamby Motors body shop. There are approximately six parking spaces on the site, as currently configured, which serve all of the uses. The body shop uses the adjacent Getty gas station at 36 Danbury Rd. for parking, and has done so for over 40 years. Neither JMF nor Pamby own this adjacent property, but they do occupy it pursuant to a written lease. This lease arrangement is written three years at a time. The current lease expired January 1<sup>st</sup>, but John (Pambianchi) has signed a renewal and sent it back to Getty, who generally "sits on it for 90 days, up to 6 months, and then they send it back. Again, they've been doing this for 40 years. So he is currently occupying this as a holdover tenant under the lease. The new lease will be in within the next couple of months." Mr. Jewell will submit this for the record, as requested by Planner Brosius.

In addition, Mr. Jewell said that the car dealership had previously parked over 140 vehicles in the unmarked spaces on the adjacent parcel to the south, also owned by JMF Realty. In essence, he said, this application merely replaces the car dealership in the front building with Ridgefield Ski & Sport. He added that the sport shop would seem to be a less intense use of the premises than a car dealership. To accommodate this use, however, the owner plans to increase the size of the premises by taking 15,878 sq. ft. of the neighboring lot to the south, attaching the remaining footage of that lot to the adjacent lot directly to the south. As a result of this, there is provision for all of the required parking for the proposed tenant, and some for the body shop. The site plan was amended to show that 19 spaces are needed for the first and second floor retail for Ridgefield Ski & Sport, and 6 spaces for the basement storage and ski repair, for a total of 25 spaces. The parking regulations for the body shop require 4 spaces per bay (8 X 4 = 32), and 1 space per employee (6), plus an additional 10 spaces for a total of 48 spaces. Mr. Jewell continued by saying that they are making the parking more conforming, but can only show 41 spaces on this re-configured lot. "We can't technically show enough spaces on this lot to meet the parking regulation," he said, "but I don't think that we can ignore the fact that we have 45 spaces next door," (at the Getty station). He remarked that this would give them a total of 86 spaces, either on the lot or in the vicinity, "which, to me, would seem ample parking," he said.

There was some discussion of minor details and some clarification.

Mr. Jewell said that by using the Getty property, "which JMF has been using for all these years,"...they "can accommodate all the parking for the body shop". He also stated that, "the bottom line is that we are making this property more conforming...". He explained that they are not making any exterior changes; they are simply changing tenants in the front building.

Mr. Jewell brought up the issues that the Planner had noted in her staff Memo, saying that, if the neighboring parcel comes forward with a development plan, his applicant would be interested in the creation of “a combined parking plan that would result in a single site access that would be lined up with Roberts Lane across Danbury Rd.,” if that’s what the Commission desires. Secondly, parking calculations have been provided, and thirdly, he has provided a copy of the written lease with the editorial comments. Addressing the Planners fourth point, Mr. Jewell said that the proposed tenant has confirmed that the top two levels will be retail space and the lower level of the building will be for storage and repair only.

With regard to exterior lighting, Mr. Jewell said that the applicants did have some comments and requests. He noted that the body shop is a 24 hour operation, and added that property owner John Pambianchi felt that the lighting was a safety and security issue. He felt that, with the current site lighting, there is a disincentive to break into these cars.

**Chairman Mucchetti** asked Mr. Jewell to specify which lights in particular address this security issue. He answered that there are four or five bright lights on the front of the body shop building that shine down on the paved area in back of the proposed ski shop.

To this, several commissioners interjected that the lights shine out, not down, and that if they shone down there would not be a problem. Mr. Jewell said that they don’t want to replace the lights, and asked how to make them shine down. He didn’t feel there was any way to make them meet the regulation. He asked what kind of lights which do meet the regulations would provide the kind of broad spectrum lighting that the current lights provide.

**Mr. Katz** said the 14’ lights, “just like everybody else has to use”.

**Dr. Autuori** mentioned the lights on Rte. 7, and noted that he wasn’t as concerned with the height of the lights as he was with the fact that they be shielded.

**Chairman Mucchetti** again tried to clarify which lights were at issue. “We’re talking about the lights on the back of the former dealership building?”, she asked. There was some discussion. Mr. Jewell replied that it was the lights on the auto body shop that he was talking about. “Those were the lights, to me, that didn’t look like they complied with the regulations. Maybe the parking lights don’t either, but they look like they might.”

“All lights on the site,” was the response from both Dr. Autuori and the Planner, who suggested that he drive by the site at night and see for himself.

Mr. Jewell concluded by telling the Commission that he has made the request and “if you don’t want to grant it, I guess that’s your prerogative”.

**Mr. Katz** wondered on what level Mr. Jewell thought the Commission could waive this requirement.

**Mr. Jewell** replied that the lights are pre-existing.

**Mr. Katz** replied that it involves an aesthetic for the entire area, and “as we are able to upgrade the lighting to a standard that we’ve spent a lot of time trying to develop,” we will try to enhance the entire retail area of Ridgefield. Mr. Katz was also not convinced that a tow truck driver would perceive the area as a security threat if the existing lighting were replaced with conforming lighting.

**Mr. Pambianchi** said that he was a tow truck driver himself. He described conditions at the site, giving the example of being there alone under a car at 2:00 am, with people coming in and out of that lot, without the protection of those lights. He said, “I’ve done it since I was 18 years old and I’m 58. I know what I’m talking about. I need the lights.”

**Dr. Autuori** said to Mr. Pambianchi that no one is asking him not to have lights. He was in agreement that the truck driver needs to see what’s under the car and what’s around the area. However, people on Danbury Rd. shouldn’t have to see those lights shining in their eyes, he felt. That is the case now. Dr. Autuori also made note that when a permit had been issued some years ago for the paint booth to be installed in the shop, one of the points that was made clearly was that the outside lights needed to be brought into conformance. Mr. Jewell argued that this was inside the building. Dr. Autuori countered that there had also been a new exhaust system installed outside at the same time. Regardless, the lighting recommendations should have been followed, he said, stressing “that the light doesn’t have to shine out. It needs to shine down on your property, not off your property.”

**Mr. Jewell** had mentioned that a Certificate of Occupancy had not been issued. The Chairman noted that this could be a problem. Mr. Jewell said that the only reason it hadn’t been issued is because the lights hadn’t been brought into compliance. But, the renovated space is being used, the Planner noted. The Chairman said that the applicants are now coming forward with an additional permit application, while Mr. Jewell didn’t think this was a problem.

**Mr. Pambianchi** spoke out, saying that if anyone can come out to the site and walk with him to see his concerns and then recommend approved lighting that will give him the same amount of light on his property, he has no problem replacing the existing lights.

**Mr. Jewell** pointed to a special permit that was issued to the Ridgefield Playhouse, where none of the site lighting was required to come into conformance. However, he said he recognizes that if the Commission puts a condition that the lights need to be brought into compliance, the applicants would have no choice but to abide by that.

**Randolph Lovallo**, attorney for Ridgefield Ski & Sport, said that, from the point of view of the tenant, nothing on the property where his client will be has a lighting issue. He added that the owner of the property had indicated on a number of occasions that he would bring the lighting into compliance with what the current regulations require. Mr. Lovallo then said that, “if there is a condition attached to this

special permit application that the lighting which was ordered last time be brought in compliance with the initial order, perhaps we can resolve all the issues at one time”.

**Dr. Autuori** asked when the Playhouse approval occurred, before or after the new lighting standards were in place. There was some discussion.

**The Planner** said that Dr. Autuori had brought up a good point about checking a prior permit (for the body shop) on this property.

**Ms. Willis** commented on the matter of the parking on the adjacent lot, saying she felt uncomfortable including that parking in the number of allocated spaces. She also wanted clarification as to whether or not the applicant planned to align the driveway with Roberts Lane until the adjacent property to the west came in with a site plan.

**Mr. Jewell** said that was correct, because they are not doing any site work. The only thing that’s being done is that they are painting some parking stripes. “The only thing we’re here before you for is changing whose occupying the building,” he said.

**The Chairman** said that it had been the Planner’s recommendation that, attached to this application, there should be noted the expectation that there would be coordination between the two properties at such time when a site plan comes in for the lot to the south, and that the result would be the development of a single access driveway directly across Danbury Rd. from Robert’s Lane

**Mr. Jewell** mentioned that there is slated to be extensive site work on that westernmost lot when that comes up, and he is sure they will be doing a lot more than changing a tenant, as is the case with this application. This is why they don’t want to get involved with moving driveways, because it is really beyond the scope of what they are asking for.

**Mr. Lovallo** said that it is indicated in their lease that, at the time the property to the west is developed, “we would acquiesce to any relocation of the entranceway to a location directly across from Robert’s Lane”. He said, “When we put our notice of lease on the land records, if this comes all together, this will be a condition of the agreement.”

**Mr. Jewell** said that there were only six parking spaces on this lot when it was occupied by an automobile dealership and a body shop. This had obviously been a longstanding situation. He noted that, however one looks at the parking requirements on this property, the new tenants are required to provide at least 15 less spaces for their proposed use than for what was there before. He noted that, whether or not the additional 45 parking spaces are taken into account, the new applicants are making the parking so much more conforming than the prior situation.

**The Planner** had “a few facts for the record.” The parking lot that is now a separate lot between the building in question and the brick house is, by variance, only allowed to be used by a car dealership. When that lot is split, and half goes to one side and half to the other, that variance becomes moot, because the lot is no longer in

existence. She also pointed out that the operation of the body shop is contingent upon the parking that is available at the Getty site. If that parking at the Getty station site goes away, the body shop becomes completely non-conforming, and must cease to exist on this site unless some other parking can be provided.

**Mr. Jewell** said that they wouldn't have enough space unless they could get an easement to park on this other property, calculating that, minus the Getty parking, they would be 32 spaces short for the body shop. He added that, since the Getty station had been there for forty years, there didn't seem to be much reason for concern.

**The Planner**, however, wanted to remind the owner that the body shop operation is contingent upon that parking being available.

**Mr. Katz** said that he thought this was a wonderful adaptive use, but he was confused about the parking, and needed some clarity. Let's say, for example, he said, that the body shop parking concept is eliminated from this application, as though all of the body shop parking could be accommodated on the Getty site. Mr. Jewell said that they still would be short 3 spaces for the body shop. Mr. Katz then deduced that the maximum number of spaces they would then need "to steal" from the property in discussion would be 3 spaces. Mr. Jewell said that was correct. Mr. Katz then asked the Planner how many parking spaces does the adapted space need, including handicapped spaces?

There was much confusion and lengthy discussion about the parking calculations related to each use. Errors on the map complicated matters further.

**The Planner** eventually listed the number of spaces designated for retail space, and noted that there were no prescribed numbers available for the storage and repair use. She said the office had taken a stab at a number and come up with a designation of half the spaces needed for retail space. Mr. Katz asked why it would be as much as half of retail, and the Planner said it could be much less than that, if the Commission desired. Mr. Katz then asked if the number of spaces determined to be adequate for the basement storage and repair use were up to the discretion of the Commission, would it not be possible to make that number whatever it takes to make the parking count come out correctly? The Planner assented. Mr. Katz then said that that's where the Commission wants to go.

**Ms. Willis** asked how many spaces are required for the building in the front and for the body shop, and how many are missing and needing the Getty space. She does not feel the Commission should set a precedent by counting parking on a piece of property that may go away in 3 years.

**The Chairman** said that 25 are required for the old dealership building for the retail use.

**Mr. Jewell** said that this number includes the 19 under the regulations for the first and second floor, and the estimated 6 for the basement.

**The Chairman** said that 48 spaces are required for the usage of the body shop. Mr. Jewell agreed, explaining the per bay, per employee, plus 10 additional calculation.

There was discussion and confusion about determining the deficit.

**Mr. Fossi** asked Mr. Pambianchi if he had ever had 48 vehicles parked on the lot at one time. "I'm shocked at the requirement for a body shop of 48 spaces," he said.

**Mr. Pambianchi** said they average 90 cars per month. The cars that are towed in are on the Getty lot, and that is usually 4 - 8 cars at a time. There are never more than 8 wrecked vehicles parked there. People come in for estimates and stay 15 to 20 minutes and they're gone. A car doesn't come in for a repair until there is a spot in the shop. The cars that are drivable are being driven off site. The only cars that he has there on the lot are 6 - 8 wrecks and 2-3 cars coming in for the next day, 2-3 cars waiting for pick-up and the vehicles belonging to his six employees. He said he "will never have more than 15 -18 cars on that lot at a time".

**Mr. Katz** said that the Commission doesn't have the flexibility to vary its regulation with regard to the body shop. However, he was trying to get the count to where the Commission could utilize its flexibility with regard to the basement space to cut that from about 6 to 2 spaces, which seemed more realistic to him anyway, in order to bring this application into compliance.

**The Chairman** asked why there were spaces allocated for the basement when it is designated as storage and repair. The Planner said that the repair and rental shop will be an extension of the retail space, and will require parking.

**The Chairman** asked the Planner how she would suggest they proceed.

**The Planner** said that there are 41 spaces shown on this lot. Per Mr. Katz' suggestion, there would be only 2 spaces required for the basement uses, instead of 6. Along with the 19 allocated spaces for the upper floors, this would total 21 spaces. That would leave 20 spaces for the body shop. There would be need for 28 more. There is a lease showing that there is permission for the body shop to use spaces on the Getty lot. The Planner repeated her concern that the applicant and the owner of the property understand that, if that Getty parking goes away, then there is a shortage.

**Mr. Katz** reminded the Commission that the applicant and the owner are one and the same, and the owner could grant himself easement on the property to the west. He felt that this was, consequently, a "non-issue".

**The Planner** said there appears to be plenty of parking for the proposed uses. The record just needs to show that some of the parking is coming from the lease agreement with Getty.

**Mr. Jewell** said there is a final issue with regard to the Fire Marshall. The applicant will have to submit applications to the building department, which will need the Fire

Marshall's sign off for their fit ups before they occupy the premises. He said he believed the Project Architect, John Doyle, had spoken to the Fire Marshall.

**The Planner** added that she had also spoken to the Fire Marshall, who indicated that the review can be done at the time that the building permit is requested.

**Mr. Lovallo** said that, relating to signage, Zoning Enforcement Officer Richard Baldelli said that he should prepare some renderings and present them that night. Mr. Katz asked if they had gone to the AAC? The Planner and Mr. Jewell both answered, "No."

**The Planner** said she thought that Mr. Baldelli's concern was that there are awnings planned for the building and she wanted the Commission to be aware of that, believing that their recommendation would be that they go to the AAC for review.

**Mr. Lovallo** said that these are the same awnings that have been hanging at the Cops Hill Plaza location of Ridgefield Ski & Sport, and they would like to move the same three awnings to the Danbury Rd. location. He said the lettering has already been approved by this Board. There is a sign exactly the same as the awnings which the applicants are requesting go on the side of the building that is exposed to the west.

**The Chairman** asked if this signage is already at the other building, hasn't it already been approved by the AAC?

**Mr. Lovallo** said that that was for a different location.

**Mr. Katz** said that the façade's square footage is what determines the amount of signage that's permissible. He said the Commission can't approve a sign.

**The Chairman** said that Mr. Lovallo was simply following Mr. Baldelli's instruction to bring the renderings to the Commission.

**Mr. Katz** reiterated that all the Commission can approve is the concept.

**Mr. Lovallo** said, for the record, he did measure the signage, and each sign is 12'6" x 8" high times three signs equals 25.125 sq. ft. of signage. If he is allowed to use the fourth sign on the side of the building, it will total 33.5 sq. ft. of signage.

**The Chairman** said that this is still a determination that will have to be made by Mr. Baldelli and the AAC. She thanked Mr. Lovallo for doing as requested and bringing the signage issue forward.

**Mr. Katz** said he is delighted that this retailer is coming into downtown Ridgefield.

**Mr. Katz** made a motion, seconded by Mr. Fossi, to draft a resolution of approval with conditions suggested by the Planner in the staff memo, and including a requirement that all exterior lighting on the site be brought into compliance with the

current lighting standard. The motion passed, 7-0-1. Mr. Walsh recused himself from the discussion and vote on this application.

3. **#2007-010-SP:** Special Permit under Section 312.0 as required by Section 318.0 of the Ridgefield Zoning Regulations to permit an accessory apartment on property located at **244 Old Branchville Road** in the RAA zone. Owner/Appl.: Edward & Mary Hickey. *Received 2/13/2007. Walked 2/25/2007. Public hearing commenced 3/6/2007. 65-day action period ends 5/10/2007. For action.*

**Dr. Autuori** made a motion, seconded by Mr. Katz, to approve the application for Special Permit as requested. Standard conditions of approval will be included in the resolution, and no draft is needed (this is a final vote). The motion passed, 8-0.

4. **#2005-028-Regs** Comprehensive update and proposed revisions of the zoning regulations for the Town of Ridgefield, including the following zone changes: (1) eliminate the DPD (Design Professional District) zone, to be re-zoned to B-3 (General Business and Industry); (2) Change R-5-1 and R-5 zones (10 and 15-unit multi-family) to MFDD (Multi-Family Dwelling Development); (3) Change CAH (Congregate and Affordable Housing) and RCDD (Restricted Corporate Development District) to ARHD (Age-Restricted Housing District); (4) Change CCF (Continuing Care Facility) zone to RAA, (5) Establish the CBD (Central Business District) as a Village District in accordance with 8-2i of the CGS. *Public hearing commenced and closed 2/27/2007. For discussion.*

There were no votes taken on this item. Additional discussion will occur on 3/13/07, pending completion of the final draft with revisions.

## **NEW ITEMS**

5. **#2001-102-REZ-A-SR-SPA:** request for extension of site plan approval from July 29, 2003 to July 29, 2013 for property located at **509 Main Street**. Owners: Rocco and Candida Valeri. Auth. Agent: Matthew Ranelli, Esq. *For action.*

**Dr. Gelfman** made a motion, seconded by Mr. Slavin, to deny the request without prejudice, because nearly seventeen (17) months remain under the first five-year period of the site plan. Prior to the vote, Matthew Ranelli, representing the owners, withdrew the request for extension.

6. **#2007-017-REV:** request for revision to Special Permit, for several modifications to the approved plans and conditions of approval for Laurelwood Phase III, located at **638 Danbury Road** in the RCDD zone. Owner: George Bakes Family Limited Partnership. Appl.: Jack Lannamann, Project Manager, Toll Brothers, Inc. *65-day action period ends 5/3/2007. Received 2/27/2007. For action.*

The Commission considered the request to modify specifications for building and site materials on the approved plans and in condition #27 of the Special Permit approval, as follows:

**Mr. Walsh** made a motion, seconded by Mr. Fossi, to approve the bluestone walkways on the house sites, and eco-stone sidewalks for the general site. The motion passed, 8-0.

**Mr. Walsh** made a motion, seconded by Mr. Fossi, to approve the use of Hardiplank shakes and Miratec trim. The motion passed, 8-0.

**Mr. Fossi** made a motion, seconded by Mr. Walsh, to approve the use of cream-colored paint for the trim, according to the sample produced by the applicant. The motion passed, 6-2, with Mr. Katz and Dr. Autuori opposed.

7. **#2007-020-SP:** Special Permit application pursuant to Sec. 312.0 as required by Sec. 411.0 of the Ridgefield Zoning Regulations for the demolition of existing retail building and construction of two new buildings (Walgreen's), including reconfiguration of the existing vehicular areas on property located at **42-50 Danbury Road** in the B-1 zone. Owner: Sherwood Island, LLC. Appl.: READCO, LLC. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *65 days to commence public hearing ends 5/10/2007. For receipt, schedule walk and public hearing.*

**Dr. Autuori** motioned, seconded by Mr. Katz, to acknowledge receipt of the application, to schedule a site walk for 3/18/07, and a public hearing for 4/4/07 (the Wednesday after Passover). The motion passed, 8-0.

#### 8. **EXECUTIVE SESSION- Personnel**

This item was addressed following the close of all other business on the agenda. The secretary and the public left the meeting, and the Chairman opened the Executive Session with the Planner present, beginning at 10:28 p.m. The session was closed at 10:34 p.m. There were no votes taken on any matter during the Executive Session.

9. **Discussion of Budget Request with Board of Selectmen.** Prior to the Executive Session, **Chairman Mucchetti** asked to add an item to the agenda to report on the Board of Selectmen's review of the Department and Commission operating and capital budget requests. The meeting with the BoS took place on Monday, March 5<sup>th</sup>, with the Chairman and the Planner in attendance. Chairman Mucchetti noted that the meeting went well, and the Planner was able to report that increased P&Z application fees have already covered the requested budget increase.

#### **COMMISSION WALKS**

**The following walk was scheduled for 3/18/07, as noted above:**

**#2007-020-SP:** Special Permit, 42-50 Danbury Road; Sherwood Island, LLC

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

There were no requests for bond release or reduction.

#### **CORRESPONDENCE**

There was no correspondence reviewed.

## **MINUTES**

**Mr. Katz** motioned, seconded by Mrs. Willis, to approve the minutes of 2/20/07. There was a minor correction suggested by Mrs. Willis, for page 12. The motion to approve the minutes with the correction passed, 8-0.

Hearing no further discussion, the Chairman adjourned the meeting at 10:35 p.m.

Respectfully submitted,

Linda Caponetti  
Recording Secretary