

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

March 10, 2009

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

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

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

At 7:35 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2006-103-SR:** Discussion c/o Inland Wetlands Agent, re compliance with permit issued for Summary Ruling approval to conduct regulated activities in conjunction with single family lot development at **20 Peaceable Street**. Permit issued 10/24/2006 to Owner/Applicant: AMD Homes, LLC. *Discussed 11/18/2008 and 12/2/2008. 12/16/2008 per applicant's request, continue discussion on 1/6/2009. Request from Attorney Campbell to move item to January 13, 2009 agenda. Tabled 1/13/2009. Tabled 1/20/2009, 2/10/2009, 2/17/2009 and 2/24/2009. For discussion.*

Commissioner Walsh recused himself from the discussion and left the room.

Chairman Mucchetti noted information which had been received since the prior discussion on this matter in December of 2008. The Board has reviewed a plan to pipe drainage to High Ridge (by gravity flow), as a resolution to deal with the wetlands compliance, a plan that was now abandoned in favor of the new plan at the table. She cited letters from project engineer Steven Trinkaus; Town Engineer, Charles Fisher; and Judge Egan's representative, John McCoy (of JFM Engineering).

Attorney Sandy Campbell, representing AMD Homes, LLC, said that his client is not in agreement with "many things" which have been said over the course of prior meetings, however, his client prefers to move forward in an attempt to reach a resolution. He said, "It is important to my client that her silence not be confused with acquiescence or agreement with what's been said in the past."

Mr. Campbell described the progression of designs from the pump chamber plan to a gravity line plan, which was dependent on easements being granted from neighbors. After publicly thanking two neighbors for their cooperation, Mr. Campbell said that one had been advised by an attorney that the easement might result in problems when selling. That neighbor “pulled out” of the process, bringing the gravity line plan to a halt.

Town Engineer, **Charles Fisher** suggested “splitting the watershed” and taking as much of the runoff from impervious surfaces as possible and directing it to the public system on Peaceable Street. The remaining flow can exist as sheet flow toward the Egan property, Mr. Campbell said, as it has been doing in the past, “according to our neighbors.”

Mr. Trinkaus elaborated on the town engineer’s suggestion, saying that 2200 s.f. of impervious area, (the entire driveway and two thirds of the roof), would now drain from the back of the property north towards the Egan’s. The property had previously drained roughly 4900 s.f., (the entire driveway, the entire roof, and the yard), toward the Egan’s. This is a 56% reduction, according to Town Engineer Charlie Fisher. The new plan also diverts water to Peaceable Street from a catch basin in the front, which had previously drained toward the Egan property, Mr. Trinkaus said. The AMD grading, he added, drains toward Peaceable Street, resulting in a sixteen one hundredths of an acre reduction in the overland flow. In addition, the plan will provide a 25’ stone filled trench to catch the flow from the roof drains.

Mr. Mische asked for a detail of the trench. Mr. Trinkaus explained that it was 3’ wide x 1 ½’ deep, with 1 ¼ “crushed stone.

The Chairman asked for confirmation from Mr. Trinkaus that nothing needed to be done to the existing development (and grading) to direct the flow toward Peaceable Street.

Mr. Trinkaus explained how they would take the gutter pipes and the two driveway drains to a new catch basin on the north side of Peaceable Street, and then make a single connection to the south side of the street.

The Chairman noted that Mr. McCoy’s letter echoes her concern that the property has been “completely altered.” The trees are gone, the wetlands have been filled in, and the house is much larger than what was there, she noted for the record.

Mr. Trinkaus did not agree completely with Mr. McCoy’s assessment. He took issue with the statement that the grading on the site had substantially changed. He also noted that significant trees remain on the site, even if they are not shown on the plan.

There was some discussion of a recent aerial photo taken from the town's GIS system, which depicts a very different lot from the original one belonging to the Bakers (the former owners).

Mr. Campbell said the berm replaces the area of trees that previously existed. In terms of retention of storm water, he added, this plan is a major improvement. It "attenuates velocity and provides a huge reduction in drainage."

Chairman Mucchetti asked where the trench was from the property line. Mr. Trinkaus said it is about 18' south of the Egan property line.

Mr. Katz said that the Board should concentrate on the remediation plan at the table, rather than discussing the history of changes on the site. He said that the engineers are in basic agreement, and he motioned to approve the new plan according to the draft resolution prepared by the Agent, with a modification to the language in condition 5(a).

The Chairman noted that counsel had reviewed the modifications in the resolution. She also requested that engineer John McCoy be added to the list in condition 4(a) of persons having the right of inspection of the open drainage systems prior to back-filling.

Judge Egan felt that it was important to look at what had existed on the property before. He would agree to the plan submitted, however, provided that it is modified, as per Mr. McCoy's recommendations in his letter of 3/4/09, and the other concerns are addressed. Mr. Egan disagreed with Mr. Trinkaus' description of the woods that had existed and their function. He also challenged some of the information presented in the 3rd paragraph of Mr. Trinkaus' letter to the town engineer as to the direction of the overland flow from the former Baker property. It appeared the drainage flowed in all four directions then, as opposed to all of it going north, toward the Egans. He detailed all the extreme changes on the lot.

The applicant agreed to the implementation of a testing procedure to insure that all connections to the Egan property have been severed.

Mr. Egan said his concern is that there may be other pipes as yet unfound which still connect to his property. He is also concerned about any damage that may have been done to the underground drains on his property. He would like certification that the system on his property is undamaged. Based on past certifications by the project engineer which turned out to be untrue, he asked for monitoring or bonding of the project to make sure that the work would be done properly and legally.

The Chairman noted that Mr. Trinkaus had agreed to the extension of the stone filled trench, as suggested by Mr. McCoy.

The Agent confirmed that the exposed piping should be observed by the town engineer and Mr. McCoy before it is back-filled.

The Chairman asked the Agent about Judge Egan's concerns with any existing pipes. Mr. Egan stated that a neighbor had taken about 150 – 200 photos of the work, showing "pipes all over the place." He was unsure where the pipes were.

Mr. Fossi said that condition 5(b) in the resolution addresses this concern.

Mr. Mische said the condition did not address whether or not the pipes were damaged. The Agent felt that this could be addressed in condition #4.

The Agent mentioned a 4" pipe in a T location just over the property line (on the Egan property). She asked the applicant to address this.

Terry Moore (AMD Homes) said that two connections were tapped to the top of the pipe that is just over on Mr. Egan's property, which then flowed to that four-way connection which then goes into the catch basin. There was no excavation. Mr. Trinkaus added that by cutting the pipes and capping them on the AMD side of the property it would eliminate the connection.

Mr. Egan said there is only one pipe that was connected. Mr. Trinkaus said that everything is going to be severed where the berm is and capped. Mr. Egan said that the former owners of his property had that drain there for a reason, presumably to protect the pool.

There was ongoing discussion about these details.

The Chairman asked that Mr. Trinkaus address the judge's concern about impact to his drainage system. "We uncovered a section 'til we saw the pipe, we cut it, we tied into it, and that was it," Mr. Trinkaus said. The Chairman brought up several other issues, which were answered.

Dr. Autuori asked if what had appeared to be a curtain drain had been inhibited. Mr. Trinkaus explained the work done. Dr. Autuori said that some infiltration of mud or silt could have resulted.

Terry Moore, for AMD Homes, said that when they dug the pipe up, they also put gravel back and filter fabric over it.

Mr. Mische asked about the duct taped T-connection that they put in. Mr. Moore explained that one was an existing pipe that they replaced. The other was a T-connection installed in response to a request that they tie the driveway drains in.

A neighbor, **Kim Daly** (who lives just north of the Egans), addressed the Board. She said "the two lines that ran parallel to the pool, the old corrugated pipe, was similar to

what was exiting that catch basin.” The duct-taped pipe is a different connection and that’s been capped off, she added. She pointed to a T-connection on the map, saying that it was brand new – not what is exiting that catch basin. Her concern for the Egan’s would be, “Where does it begin?”.

The Chairman asked Mr. Moore to answer the points made by Mrs. Daly.

Mr. Egan said he was more concerned that the pipes that existed before the work began weren’t damaged.

Attorney Campbell said that all of the roof drainage is going through a solid pipe to the trench and vents across the opening of the berm. Other than overland flow, there can be no other discharge onto the Egan property, he said.

The Chairman reiterated Mr. Egan’s concern about the pre-existing drainage system between the Baker property and his pool. It may have been compromised with the excavation and the laying of pipe, he felt.

Mr. Egan specifically mentioned the 4” CPP going about 50’ to the west on his property, to an area beside his garage. That pipe ends, but AMD’s engineer had assumed that it continued to the north. He also noted for the record that Mr. Moore’s use of the term “re-connected” in reference to the pipes duct taped together was incorrect. Their plan, as originally submitted, he said, “never showed a connection between our properties.”

Mr. Campbell said that Judge Egan has a civil remedy with the courts if he believes any damage has been done to his property. He did not feel that “addressing civil alleged wrongs” fell within the jurisdiction of the Board, saying that it is a regulatory agency, not an adjudicator.

Mr. Egan said that Mr. Trinkaus and Mr. Moore had testified on the record that they did no other damage, and he would have this “to fall back on” should an issue arise in the future. He was satisfied that, if Mr. McCoy’s recommendations were instituted, the parties were substantially in agreement.

Mr. Katz said, if Mr. McCoy’s comments, (specifically in paragraphs 4 and 5 of his letter), along with the remediation approved by the town engineer, were incorporated into the conditions of the proposed resolution of approval, the Board has done its job. He also noted Judge Egan’s request that Mr. McCoy be permitted inspection of the open drainage system.

Dr. Autuori asked the applicant to explain some pictures of two large holes. Mr. Trinkaus said he thought they were areas dug up by Judge Egan for the site inspection. Mr. Campbell concurred, saying he believed they were inspection holes excavated by Judge Egan. Agent Brosius and Judge Egan explained what they knew

of the holes, which were in fact dug at the direction of Judge Egan in response to information which led him to believe there was a blockage in the pipe.

The Agent summarized the changes to the proposed resolution of approval. Modifications to the resolution now reflect that the Board is looking at a new plan. She confirmed with the project engineer that the plantings included pachysandra on the spillway (graded area where the berm is removed) below the trench. Language was added to allow inspection by Mr. Egan's engineer, John McCoy.

Dr. Autuori said that, civil matter or not, the Board has an obligation to look at what is happening under the ground. In that regard, he asked if there could be a bond placed to insure that the system is working as approved for a period of one year.

Mr. Fossi said that a performance bond could be left in place for a year, but, the Certificate of Occupancy certainly could not be held up.

The Agent said she would add a condition that would require a bond to remain in place for one year, to be assured that the system worked as stated by AMD's engineer.

There was discussion between Dr. Autuori and Mr. Campbell, who disagreed as to the reach of jurisdiction of the Board with regard to this item. Mr. Campbell said that the condition that there be no adverse impact on the downstream neighbor fulfills the requirements of the permit condition.

The Chairman said that they were in violation of the permit, which is why they were in front of the Board. She said that the discussion was a compliance discussion.

Dr. Autuori again defended the Board's right to have surveillance over the project. The Chairman noted condition #5(d).

Mr. Katz felt that it was "perfectly appropriate" to impose a bond for a year.

Mr. Katz motioned, seconded by Mr. Fossi, to approve the modified plan according to the conditions in the draft resolution, amended at the meeting.

The motion passed, 7-0-2, with Mr. McChesney abstained and Mr. Walsh recused.

[Note: At this point, the Planning and Zoning Commission re-convened to hold a short public hearing that had been delayed. The Wetlands Board meeting resumed immediately following the public hearing.]

2. **#2009-014-SR:** Summary Ruling application under Sec. 7.5 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield to replace 60 linear feet of an existing 10" Town sanitary sewer line within a meadow wetland area on property located at **74 & 78 Prospect Ridge** in the RAA zone. Owners: Bruce and Susan

Ruehl and Thomas and Jeannine Carr. Auth. Agent: JFM Engineering, Inc. *Received 2/24/2009 and draft resolution of approval requested. 65-day action period ends 4/30/2009. For discussion/action.*

Mr. Katz motioned, seconded by Mr. Mische, to approve the application and to adopt the resolution, as drafted by staff. The motion passed, 9-0.

NEW ITEMS

3. **#2009-015-PR:** Plenary Ruling application under Sec. 7.6 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield to conduct regulated activities in the wetlands and upland review areas, activities to include pond dredging, drainage and site improvements, restoration of disturbed areas, stone patio, retaining wall, stone bridge, wooden dock, boardwalk and wetland overlook connecting properties located at **10 Shadow Lake Road and 690 Ridgebury Road** in the RAA zone. Owner: RCG 1998 Family Trust, Alison Mosca, Trustee. Appl./Auth. Agent: Peter and Summer Gay Paulos. *65 days to commence public hearing ends 5/14/2009. For receipt, schedule walk and public hearing.*

Chairman Mucchetti suggested a site walk for March 15, 2009, and a public hearing for April 7, 2009.

Mr. Fossi motioned, seconded by Mr. Mische, to acknowledge receipt of the application and to schedule a site walk and a public hearing on the dates suggested by the Chairman. The motion passed, 9-0.

BOARD WALKS

As noted above, the Board scheduled the following site walk for **March 15, 2009:**

- **#2009-015-PR:** Plenary Ruling **10 Shadow Lake Road and 690 Ridgebury Road**, RCG 1998 Family Trust

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti noted the following correspondence:

- Letter dated 2/24/09 received from Carol and Charles Popp, re satisfaction with the work done by Sturges Brothers for the installation of new piping over the stream on their property.

MINUTES

Mr. Mische motioned, seconded by Dr. Autuori, to approve the minutes of February 17, 2009. The motion passed, 9-0.

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

Respectfully submitted,

Linda Caponetti
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

March 10, 2009

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

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

A public hearing was held prior to the meeting.

At 8:39 p.m., Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2009-010-SP:** Special Permit under Section 9.2 as required by Section 3.6.C (Lot Coverage Exceptions) of the Ridgefield Zoning Regulations for alterations and additions to the existing residence located at **154 Rippowam Road** in the RAAA zone. Owner/Appl.: Paul Camarda. Auth. Agent: Jeffrey D. Mose, AIA. *Received 2/3/2009. Walked 2/8/2009. Public hearing commenced 3/10/2009. 65-day action period ends 5/14/2009. For action.*

Mr. Katz motioned, seconded by Mr. Chipouras, to approve the application as presented. The Planner suggested using the standard conditions applied to previous, similar applications, including recommendations made in the staff report about the filing of an as-built survey on the land records.

The motion for final approval of the application passed, 9-0.

2. **#2009-013-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e. of the Ridgefield Zoning Regulations for façade updates, 2 new entry porticos and relocation of the eastern site entrance on property located at **100B Danbury Road** in the B-3 zone. Owner: Taylor Zemo LLC. Auth. Agent: Jeffrey D. Mose, AIA. *65-day action period ends 4/30/2009. Received 2/24/2009 and draft resolution of approval requested. For action.*

Jeff Mose, authorized agent for the applicant, was present to address questions of the Commission.

The Chairman noted new schematics from Didona Associates, showing the relocation of the dumpster.

Mr. Katz asked about trees scheduled for removal, deciduous vs. conifer.

The Chairman asked if the Commission felt the proposed parking island was well placed. Mr. McChesney felt that it was, as it protects the cars.

The Planner stated that only one parking spot would be lost in the relocation of the dumpster. Also, the catch basin would be moved, she said.

The Chairman noted that the relocation of the entryway may provide additional parking spaces, when the current access is closed.

Mr. Chipouras felt that the location of the proposed island could lead to its being damaged by trucks trying to back around to the dumpster. Everyone agreed, and noted that the dumpster could be angled away from the parking island.

Mr. Katz again questioned the species of tree being proposed. It was decided that an evergreen screen, with no White Pines, was what the Commission recommended.

Mr. Katz motioned, seconded by Mr. Walsh, to approve the resolution of approval drafted by staff. The motion passed, 9-0.

NEW ITEMS

- Pursuant to Sec. 8-7d.(c) of the C.G.S., the following application is considered received 3/3/2009.**

#2008-142-REV(SP)-VDC: Revision to Special Permit under Section 9.2.A.7.e and Village District Application under Section 8.3 of the Ridgefield Zoning Regulations for an additional building sign located at **467 Main Street, CVS**, in the CBD zone. Owner: EAL Associates. Appl.: Lorence Signworks. Auth. Agent: CVS Realty Co. *65-day action period ends 5/7/2009. 35 days to receive VDC report ends 4/7/2009. Received 3/3/200 . For discussion/action.*

Planner Brosius explained that the applicant had chosen to apply for an as-of-right interior window sign, which does not require Village District Approval or a Revision to the Special Permit. A written request for withdrawal of the application was expected, but not yet received.

There was no discussion on the item, and office staff will process the withdrawal when it is received.

4. **#2008-011-REV(SP):** request for one-year extension of temporary street sign approval from March 31, 2009 to March 31, 2010 for property located at **Bryon Avenue**. Owner: Country Club Development, LLC, Reed L. Whipple. *For action.*

Mr. Katz motioned, seconded by Mr. Chipouras, to grant a one-year extension for the temporary street sign on the private road, Village Park, off Bryon Avenue. The motion passed, 9-0.

5. **Proposed Amendment** to the **Zoning Regulations-Exterior Lighting Regulations**, c/o Commissioner Michael Autuori. *For discussion.*

Dr. Autuori explained his reasons for requesting the amendment to the zoning regulations. He had compiled a list of non-conforming exterior lights and sent it to Zoning Enforcement Officer, Richard Baldelli. He discovered subsequent to this that very few of the lights were subject to zoning regulation, even though they were not on residential property. The fact that the lights were not on property actively undergoing site plan approval, there was no avenue through which to regulate.

Dr. Autuori felt that this issue should be handled as a town wide ordinance under the Board of Selectmen, giving it the enforceability it needs. He drafted language for a proposed amendment to the zoning regulations, Section 7.8.B, which would include under the Commission's scrutiny and review any new or replacement fixtures installed after the date of the amended regulation's adoption.

Dr. Autuori stressed that he is only trying to prevent people from having light shining off their property, not preventing them from lighting their property. He cited health risks now being attributed to excessive ambient light at night. Safety of any property can be addressed by a full cutoff light that illuminates the property, he said.

Mr. Katz asked for the Planner's comments.

The Planner noted that she had discussed this topic at length with Mr. Baldelli and also with legal counsel. While she is in agreement with the concept and the need for decreasing light pollution in town, the amendment as written presents enforcement problems. There is no permit required when a property owner changes an exterior light fixture, when the property is not subject to special permit regulations or a site plan approval where compliance with zoning regulations would be mandated.

Absent the above, the office would have to be acting on a complaint or simply approaching property owners with non compliant fixtures to question them about when their lighting was installed – prior to or after the adoption of this new regulation.

The Planner said this would put Mr. Baldelli in a very difficult position, which would involve a great deal of time and fighting with the property owners. She suggested adding zoning permits to the list of regulated activities, so that Mr. Baldelli

would have one more avenue of enforcement opportunity. Aside from these standard enforcement avenues, the regulation of all new lighting would be practically unenforceable. “The practicality of trying to do that in an organized, fair way... to both the property owner and to Richard [Baldelli]” isn’t there.

Mr. Katz said that, while he respects the “complications” attached to trying to regulate all lighting, he agrees with Dr. Autuori that it is the right thing to do. The fact that the regulation would now apply to any property which could in effect cause offense to a driver or a passerby or a neighbor because of the installation of an inappropriate light fixture. This amendment to the regulation would take that offensive fixture from inappropriate to forbidden, he said.

Mr. Katz defended the reasonableness of enforcing a new regulation, saying that it does not actually involve all that many lights, so few of which might actually offend. He felt that this issue was “worth the extra effort,” otherwise the Commission is fairly limited in its capacity to effectively regulate lighting. He supported the amendment, as presented by Dr. Autuori, because it broadens the Commission’s capacity.

Mr. Walsh said, “I think we have the tools in place...”. Any non-residential structure will require architectural review for any exterior lights, he said, which will force the lighting regulations. He felt that a tremendous burden would be placed on the office if the new amendment was adopted, and said that eventually all lighting will conform “through the process of the regulations and the special permit process.” The new amendment is unnecessary, he felt.

Dr. Autuori cited the many offending lights downtown which he referred to Mr. Baldelli. He was informed by him that there is no authority to effect a change. Dr. Autuori said that property owners can make “radical changes” to their lighting without touching the regulations, and something needs to be done.

The Planner said that changing an exterior light fixture is not considered to be remodeling a building. There is no permitting process involved. Trying to correct the problem could be an enforcement nightmare. She said that legal counsel agreed that the regulations as they stand will correct the problem over time, especially if zoning permits are added to the list of enforcement opportunities

The Planner noted a call from First Selectman Marconi in the fall where he expressed the concern of store owners with the rash of arson, saying they were looking for better lighting. Certain bright lights may have gone up at that time.

Dr. Autuori feels that it will take too long for the present regulations to correct the problem, as new infractions will continue to crop up. It will take education on the part of the public, and he suggested a public hearing.

The Planner said that the amendment to the regulation would create serious problems for the office. She explained how methodically and thoroughly the ZEO

works, and said that creating a file that would stand up in court would be excessively time consuming. There will be pushback from the public, she added.

Dr. Autuori said that no one who has already installed a light will be affected by this regulation, because it will be grandfathered in. Only complaints, as they come in, will be dealt with. The Planner countered that this would result in “selective enforcement,” according to counsel. Dr. Autuori said the new regulation should be promulgated in a public hearing. He feels the amended regulation would be in the best interest of the people of Ridgefield.

Discussion continued about specific situations.

Mr. Mische asked how many phone calls the office actually deals with on lighting issues. He thought this amendment was an important modification to make, and he will support it. He agreed with Dr. Autuori that education is a very important component of change.

Mr. McChesney asked if lighting could be handled in the same way as sign regulations. Why is this different?

The Planner pointed out that the regulation of signs is specifically authorized in the statutes. There is no reference to lighting. She said that it would be helpful for the ZEO to attend the CAZEO (CT Assoc. of Zoning Enforcement Officials) meetings so that he could hear what other towns are doing about this and other issues. She did not want to act on the item that night. She wanted additional comment from Mr. Baldelli and legal counsel before this would go to a public hearing.

There was no action taken, but the item will return to the agenda following more research by staff, and receipt of comments from the Zoning Enforcement Officer and legal counsel.

6. **#2008-135-SP: 105 Danbury Road;** PST Properties. Commencement of work without proper permits. *For discussion.*

[**Note:** The entity “PST Properties” consists of John Pambianchi and Sturges Brothers.]

Chairman Mucchetti noted the Planner’s memorandum about the Sturges Brothers starting work prior to receipt of a building permit for the recently approved Special Permit for **105 Danbury Road**. The Planner described additional permit violations occurring on the day before the meeting (3/9/09), and citations that were issued by the Zoning Enforcement Officer. The developer is dumping fill from the **105 Danbury Road** site on property owned by others at **188A Main Street**, where the Inland Wetlands Board had previously approved a Summary Ruling Application for home construction, but where there is no current building permit for construction of a home on that site. She also noted that the Wetlands Inspector/Agent would be issuing a

Cease and Desist Order for the 188A Main Street site. No erosion control measures have been installed, and there is no permit allowing the dumping of fill.

Mr. Katz confirmed that work continued after the issuance of a summons. He was disturbed by the fact that there was no reporter present at the meeting to record these flagrant violations.

The Planner said that she was extremely disappointed by the actions of the developers.

There was lengthy discussion and comment about the details of the violations and the processes governing the matter, but the Planner did not request any action by the Commission beyond what staff had already taken. The discussion was intended to keep the Commission informed of staff's enforcement activity, and the developer's continued disregard for permit requirements.

COMMISSION WALKS

There were no site walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti pointed out the following correspondence:

- Letter from Mr. & Mrs. Sganga of 41 Partridge Drive, about light pollution from a neighboring property. (M/M Sganga were recognized in the audience, as they had come to listen to the Exterior Lighting discussion.)
- Draft copy of the **Ridgefield Center Study**, sent by Milone & MacBroom, to be reviewed at a work session with the Commission on 3/24/09.

MINUTES

Mr. Katz motioned, seconded by Mr. Chipouras, to approve the minutes of February 17, 2009. The motion passed, 9-0.

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

March 10, 2009

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

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

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

PENDING ITEMS

There were no pending items.

CORRESPONDENCE

There was no correspondence.

MINUTES

Mr. Mische motioned, seconded by Mr. Fossi, to approve the minutes of December 9, 2008. The motion passed, 9-0.

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

Respectfully submitted,

Linda Caponetti
Recording Secretary