

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD

March 20, 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

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

At 8:22 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2007-011-SR:** Summary Ruling application for driveway and fill in wetlands, and fill, grading and house construction in upland review area on 2.152 acres of land located on **121 Sleepy Hollow Road** in the RAA zone. Owner: Katharine W. Fizer. Appls.: Charles and Katharine Fizer. *Received 2/13/2007, walked 2/25/2007 to determine significance, no public hearing required determined 3/13/2007. 65- day action period ends 4/19/2007. Draft Resolution of Approval requested 3/13/2007. For action.*

Agent Brosius mentioned the concern of the Conservation Commission regarding the width and expanse of the driveway in front of the house. She had reviewed the maps, finding that the parking area at its widest point is 64' wide. She asked the homeowner if he would have any objection to moving the rock slope wall adjacent to the driveway back further from the wetland. She explained that by moving it back, (in the configuration shown on a sketch distributed to the Board), it would bring the slope back about 10' from the wetland, moving the paved area further away, as well. Mr. Katz asked for clarification on the position of the driveway and slope. The Agent referred him to the sketch, and explained that everything shifts to the south. The Agent noted that the driveway is still 50' wide, but it is away from the wetland, and the homeowner had no objection to that. She listed this change in condition #2d of the resolution of approval. She also added that, after reviewing the previous week's minutes, she wanted to add another condition, (#2e), specifying that "the plan shall show that natural rock from the site shall be used for the rock slope for all areas

beyond the initial wetlands crossing.” Regarding the installation of the silt fence, the Agent added a suggestion to condition #3, stating that the measures could be installed by hand in areas close to the wetlands, as verified by the engineer.

Ms. Willis asked about the hay bales being included as part of the silt fence. The Agent said that there is a detail on the plan which illustrates the installation of the hay bales.

Dr. Autuori questioned whether or not the installation of the silt fence would be as effective if dug by hand, noting that occasionally roots are so dense, they require a bucket or some such machinery to dig deep enough to embed the silt fence in order for it to work properly. He suggesting adding the words “where practicable” to the condition that the fence be dug by hand. The Agent agreed to note that this condition should be imposed only if there is no condition that would make hand installation of the silt fence inadvisable. Dr. Autuori said that with an excavator or a backhoe, you can dig very carefully and achieve a proper installation.

The Agent noted, in regard to this point, that there was a condition that there shall be no heavy machinery permitted in the wetland area. Dr. Autuori said that there was no need to actually enter the wetlands with machinery; that, if necessary, a machine could reach over into the wetland area to dig.

Mr. Katz said that, although he did not recall the specific width of the driveway/parking area being mentioned at the public hearing, he questions why it needs to be so inordinately large, noting that the homeowner is proposing almost 5000 square feet of paved area.

The Agent said that, in her discussion with the homeowner, she learned that he wants to provide adequate parking, so that it would not be necessary for guests and/or visitors to park in the road. She did wonder if he really understood how large the proposed driveway/parking area actually is.

Mr. Katz said that his main concern with the size of this driveway/parking area is that, even though it isn’t specifically in the wetland, it is all above grade in the upland review area, and slopes down into the wetland. He predicted that water will sheetflow right into the wetland, and the rip rap won’t slow it down.

The Agent reminded him that the inspector had recommended that there be no curbing, so that any runoff would sheet flow. There would be no point discharge. She added that the engineer agreed with that recommendation. The Agent suggested that some plantings at the top of the slope, between the slope and the pavement area, might be an improvement. This would filter some of that runoff, she added, saying that this could be required as a condition of approval.

Chairman Mucchetti questioned whether or not it was appropriate to add this condition without some discussion with the property owner, since there had not been

a public hearing. The Agent agreed that that would be appropriate, since this was a fairly substantial change. Mr. Katz asked why it was necessary to go back to the property owner, citing that the wetland board can condition as it sees fit, if there is an argument.

The Chairman said that she wants to make sure that whatever is added at this point would be appropriate. Given that there had not been a public hearing, she felt it was appropriate.

The Agent said that, if the Board felt strongly that this is a recommended improvement, and if the applicant found some type of hardship with that, this applicant can request a revision to the permit. She explained that this is not a case where there would be an appeal if the applicant was in disagreement with the proposed condition, but what could happen, she said, would be that the applicant would come back and request a revision to the permit that the Board issued.

The Chairman said she noted some agreement from the Board (by the nodding of heads) to the recommendation that there be the addition of some plantings at the top of the slope.

Mr. Walsh noted that there had been some fairly significant changes to this resolution of approval, and suggested putting these recommendations in and having the proposed resolution come back as a draft approval for the following week, thereby giving the applicant an opportunity to see the conditions that have been placed on it.

The Agent reminded him that the next regular meeting would be in two weeks, but that this could be done.

Dr. Gelfman mentioned that, from his memory of the site walk, it appeared to him that it would be very difficult to put plantings there. The Chairman concurred, saying that it was very "ledgy". The Agent said that, in this plan, they are creating the driveway. They would have to create an area that was suitable for planting, perhaps putting some soil there that is different from the driveway soil and the bank that they are building.

Dr. Gelfman said that on the house side you don't want him to extend the construction further toward the wetlands.

The Agent replied, saying she didn't think that would be necessary. She referred to Mr. Katz' point that, even though the driveway will be pulled back, it is still very wide, and there is probably room for a 3' or 4' planting area.

Dr. Gelfman said to the Agent that what he is suggesting is that, if you are going to mandate planting, you mandate it within the border that's shown, not behind it.

Dr. Autuori asked the Agent if the driveway is actually part of and continuous with the paving area; a 50' X 80-90' area of tarmac. The Chairman answered affirmatively. He concluded that this would mean that if they wanted to add plantings, they would have to put them on the wetlands slope side. The Agent said that was correct. Dr. Autuori asked where the plantings could be put.

There was a brisk discussion about the placement of these plantings.

Chairman Mucchetti asked the Agent to explain the proposed conditions in the draft resolution. Following discussion, it was decided that a re-draft of the resolution is needed pertaining to the issue of mitigation plantings between the rock slope and the paved driveway. The draft will come back to the table for continued discussion on April 4th.

BOARD WALKS

There were no walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

- Article on the function of rain gardens in winter, from NEMO newsletter.

MINUTES

Mrs. Willis motioned, seconded by Mr. Slavin, to approve the minutes of March 6, 2007. The motion passed, 8-0.

Hearing no further discussion, the Chairman adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

March 20, 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, Director of Planning
Linda Caponetti, Recording Secretary

A public hearing was held prior to the meeting.

At 8:36 p.m., Chairman Mucchetti called the meeting to order.

PENDING ITEMS

Chairman Mucchetti suggested a change in the order of the agenda items based on applicants who were present in the audience. Item #7, re **21(B) King Lane**, was discussed first. Item #3, re the proposed amendments to the zoning regulations, was discussed at the end of the agenda.

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, continued 3/20/2007. 65-day action period ends 5/24/2007. For action.*

Dr. Autuori motioned, seconded by Mr. Katz, to request the Planner to draft a resolution of approval for the application.

Dr. Autuori first reminded the Commission of Mr. Katz' statement about uses that could have been requested for this property and weren't (restaurants, movie theater, retail stores, etc.). He then listed the many reasons he saw as grounds for approval of this application: a reduction in the amount and velocity of water leaving the property; the preservation of a lot of green space; the applicants having agreed to move the air

conditioning condenser units away from the Scala's property toward Rte. 35, and having even offered to construct some sound barrier walls so that the sound is deflected from the Scala's house; the newly configured ingress and egress onto Rte. 35 will effectively decrease the waiting time for the exit from Roberts Lane; and, finally, the applicants offer to allow the neighbors on Roberts Lane to go through their property and use the traffic light if they needed to, provided they would do so at a reasonable speed and safely. All in all he felt that it will be a benefit to Roberts Lane and to the Town, because it is a prime commercial facility and he felt it was "very nicely done."

Mr. Katz explained that he seconded the motion because the applicant met the entirety of the regulatory requirement and compromised on the design of the building and the landscaping and access and egress to accommodate some of the needs of the Town. This was the most benign use in a B-1 zone, he felt.

Dr. Gelfman asked if the green zone was in perpetuity. The Chairman said that it was presented as lawn. Dr. Gelfman said that it was presented as a great benefit to the neighbors, but, if it is changed next year that benefit disappears. Both Mr. Katz and the Planner interjected that, then, it would have to come back before the Commission as an application for revision. Dr. Gelfman asked what grounds would the Commission have for refusing it. The Planner said that they would have the same grounds that they have now; it is providing a buffer to the neighboring property. Mr. Katz added that it was cited as such by the applicant.

Dr. Gelfman questioned whether the Commission would still have to approve this if the applicants came in with pavement there instead of the green zone.

Mr. Katz said that it would not. Dr. Gelfman asked why not, and Mr. Katz replied that there were many reasons, not the least of which was that this green zone was one of the products advanced by the applicant as cause for the Commission to approve the current application. There was continued discussion between Dr. Gelfman and Mr. Katz as to what the Commission would do if this green zone was not implemented or maintained, and also what would have to be done to enforce it in perpetuity.

Dr. Gelfman said that what he was trying to do was to make this benefit permanent.

The Chairman said that the Commission would have had to have asked for that agreement during the public hearing. She said she was not sure that they could condition something that never came up during the public hearing. Mr. Katz said that, even if the Commission were to condition it, it doesn't mean anything unless the applicants agree to deed restrict it.

The Planner said that any change like that would require a revision to the special permit, and that, under a special permit, the Commission would have the opportunity to deny that application because of a negative impact on the neighborhood. She explained that therein lies the Commission's control.

Ms. Willis asked Dr. Autuori if he would add to his list of conditions that they replace the Red Cedars with Spruce. He said that he would.

The Planner said that Abigail Adams had mentioned some changes to the landscaping, however, in response to Ms. Willis' question, engineer Matt Scully didn't have all the answers. The Planner said that, in writing the resolution, she will check back with Ms. Adams on this.

There was a short discussion related to the landscaping and what is planned.

Ms. Willis said that it is well known that Red Cedars are not deer resistant, so, if the applicants want to provide screening for the neighbors, they will want to use something that truly screens. The Chairman confirmed by saying that they would request the replacement of Red Cedars with Spruce trees.

Mr. Walsh said that his main concern remains the traffic pattern and the potentially dangerous situation created by creating a possible "shortcut" off a road (Roberts Lane) by allowing ingress and egress through a parking lot on the Ippoliti property. They are essentially creating a "cut through" on the Ippoliti property, Mr. Walsh said, which he feels is "fraught with danger." He continued by saying that people will use that as a cut through to circumvent traffic, and that this is not a safe way to plan a parking lot. He suggested that some type of restriction be placed on entering or exiting the site. Traffic on the site should not have access to and from Roberts Lane, he said. He also noted that there appears to be conflicting information from the Fire Marshall and the Police Commission, and said he was not sure what would be the best approach. However, he strongly feels that it is "a dangerous proposition" to create a situation that will allow people to circumvent traffic through a parking lot.

The Planner said that she shared Mr. Walsh's concern in regard to new traffic from the office building entering Roberts Lane. She mentioned that one of the issues that she and Zoning Enforcement Officer Richard Baldelli had discussed with the applicant was interior signage. She felt that it might help to some extent. Mr. Walsh disagreed, saying that this is private property, and signs will not be effective. She said that, if an effort is made on the part of the property owner to direct people to the traffic light, it will help, although it is not a cure all. She also mentioned that speed bumps had not been discussed.

Mr. Katz wished to clarify that the Planner was talking about directing "interior traffic." The Planner said that it was. He then clarified that it was not "interior traffic" that Mr. Walsh was worried about.

Mr. Walsh agreed, saying that he is concerned that this situation will create a "speedway" for people who want to cut through to circumvent a natural traffic route, i.e., getting out fast by going through Roberts Lane and then making a right onto

Danbury Road. He also mentioned once again the conflicting opinions about the use of Roberts Lane by the Fire Marshall and the Police Department.

Mr. Katz asked if he was suggesting that there be a cessation of traffic to and from Roberts Lane at certain times of day.

Mr. Walsh said, "No," that was not what he was suggesting. He cited the police Commission's report, which stated that the road should be blocked off from the parking lot and only opened for emergency purposes. However, the Fire Marshall has stated that it is inadvisable to restrict access from Roberts Lane to the parking area. We have a conflict in what's been presented to us, Mr. Walsh said.

Dr. Autuori asked to modify his motion, saying that he was not intending for the Ippoliti's offer to be a condition of approval. He would specifically retract that from being part of his motion.

Dr. Gelfman, noting that the Fire Department had approved the emergency access between Girolmetti Court and the Ippoliti property, asked why this would be any different.

The Planner noted litigation within the last five years that had resulted in the decision that the road bed is actually owned by the Ippoliti's, which makes it very difficult for the Commission to tell them that they can't have access to Roberts Lane. There would be a legal consequence, she said.

The Chairman said that she did not think that was the issue, there is concern and frustration where you have advisory from a traffic authority and safety and emergency services (and highway, Dr. Autuori added), which is in disagreement.

Dr. Gelfman said these contrasting opinions from Town officials would allow us to go to the Ippoliti's and ask if they would mind it being blocked off.

The Planner and the Chairman said that the Ippoliti's had already said that they would not support that.

Mr. Walsh asked who was in charge of maintaining Roberts Lane.

The Planner explained that It was dedicated as a Town road in 1980, but that there had been litigation following that dedication, challenging that decision. She said that it was determined that the Town had gone through the proper procedures to dedicate it as a Town road, but, the deeds have never been transferred, so the entire road bed shows up on deeds as being owned by Ippoliti Realty Corp.

Mr. Walsh said that this creates a serious issue, and he was disappointed that this information had not been brought forward at the public hearing. Mr. Walsh and the Planner continued discussion about whether or not it was a town road and whether or

not Mr. Ippoliti could be restricted from using it. The Planner said that she was not sure that you could prohibit access on a Town road. Mr. Walsh said that he thought that the Zoning Board of Appeals had done this to Mr. Girolmetti. While litigation was still pending, they told him he couldn't gain access to Roberts Lane. Mr. Walsh finally said, however, that this new information clearly puts a different slant on things, in that you can't tell an individual that he cannot use his own land.

Mr. Katz noted that the Police Commission is the traffic authority for the Town. There is no way, he said, that the Planning & Zoning Commission can condition an application with a guess as to what the Police Commission will or will not do with regard to Roberts Lane. Those decisions are not within the Commission's purview, he continued, saying that they should make their decision based on what is within their own jurisdiction.

Ms. Willis asked that something be put in the conditions of approval regarding the maintenance of the swirl separator and the plunge pool. She indicated that the application calls for yearly cleaning, but she requested that, if reports submitted suggest that it needs to be done more frequently, then it will be done as often as necessary.

The Planner said that sending in reports has not generally worked very well, and that yearly maintenance is usually adequate. If there is excess debris, the Commission can declare it a violation and require that it be rectified, she said.

The motion to draft the approval was brought to a vote and passed, 7-0. (Mr. Fossi briefly left the room and was not present for the vote.)

2. **#2007-013-SP:** Special Permit under Sec. 312.0 as required by Sec. 411.0.B and C to construct a 5,927 s.f. office and retail building on property located at **9 Ethan Allen Highway** in the B-1 Zone. Owner/Appl.: Erin Properties, LLC. Auth. Agents: John F. McCoy VII, P.E. and Douglas MacMillan. *Received 2/20/2007, walked 2/25/2007, public hearing commenced and closed 3/13/2007. Draft Resolution of Approval requested 3/13/2007. 65-day action period ends 5/17/2007. For action.*

(Note: Mr. Fossi recused himself from discussion and voting on this item, and left the room.)

Mr. Walsh asked what the requirement was for the revised landscaping plan. The Planner said that it was a minor requirement. There had been a plant shown repeatedly throughout the drawing which did not have a name, and, also, there was an incorrect number of plants shown, she said.

Chairman Mucchetti noted some additions to the proposed conditions of approval in the draft, added by the Planner. Dr. Autuori motioned, seconded by Mr. Katz, to approve the application with the conditions listed in the proposed resolution. The motion passed, 7-0-1, with Mr. Fossi recused.

3. **#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 on 2/27/07. Final draft with revisions requested 3/6/2007. Final draft distributed 3/13/2007. For discussion / action.*

Chairman Mucchetti led the discussion of the final draft and proposed revisions, section by section. Minor corrections and changes for clarification were made, in addition to acknowledgment of the list of changes included by the Planner following the Commission's earlier discussions. The Planner explained the need to take separate action on the regulations and the map changes, and for the Commission to confirm that the adoption of the regulations and map changes was consistent with the recommendations in the Plan of Conservation and Development (POCD).

Mr. Katz motioned, seconded by Mr. Slavin, to adopt the proposed regulations with the revisions discussed. The regulations would become effective on May 1, 2007. Mr. Katz noted that the proposal to amend, re-organize and re-draft the regulations is consistent with the recommendations in the POCD. The motion passed, 8-0.

Mr. Katz motioned, seconded by Mr. Slavin, to adopt the proposed changes to the zoning districts, as shown on maps discussed at the public hearing, acknowledging that the proposed changes are consistent with the recommendations in the POCD. The map changes would become effective on May 2, 2007. The motion passed, 8-0.

Mr. Katz motioned, seconded by Mr. Slavin, to establish the CBD zone as a Village District, consistent with the recommendations of the POCD. The motion passed, 8-0. The Village District would be established effective on May 1, 2007, with the adoption of the new zoning regulations.

4. **2007-2035 Regional Transportation Plan for the Greater Danbury, CT Area,** prepared by the Housatonic Valley Council of Elected Officials. *For discussion, c/o Chairman and P.D.*

Chairman Mucchetti stated that Ms. Willis had sent an email to Jonathan Chew, Executive Director of HVCEO, in her capacity as the President of the Norwalk River Watershed Association. The Chairman mentioned that there had been some interest on the part of some on the Commission to have Mr. Chew come and speak to the Commission, while others felt this was unnecessary.

Dr. Autuori felt comfortable simply reading the transportation plan without a presentation, however, he mentioned the Sugar Hollow Greenway put forth in the Commission's Plan of Conservation and Development. There is significant discourse on this, as it is a "pivotal part of our Open Space Plan," he said, and he would like to have an opportunity to discuss its implementation with Mr. Chew. He would also like to discuss what plans, if any, exist for protecting the land along the newly widened Rte. 7.

Mr. Katz agreed that this was the type of information that warranted a meeting with Mr. Chew, but he felt that it had to be calendared for a time when Mr. Chew has been advised of the topics the Commission wishes to discuss, so that he can prepare answers. If there is to be a meaningful discussion, Mr. Katz felt, Mr. Chew has to be able to contribute to it. He suggested postponing until he can respond to some of these issues.

There was a short discussion as to when it would be appropriate to invite Mr. Chew.

The Planner said that Mr. Chew's letter was basically to insure that he was able to accurately represent Ridgefield's concerns regarding regional transportation, because this plan is used for applying for grants and lobbying for legislation. She said that it might be beneficial to have him come to a meeting.

Dr. Autuori repeated his concerns about the DOT owned parcels that were originally purchased for the Rte. 7 Expressway, and the land along the presently improved Rte. 7. He added that the Greenway is a form of transportation – albeit non motorized transportation – and definitely fits within the transportation plan.

The Greenway was mentioned in the plan, the Commission added.

Ms. Willis said it was not clear in the Plan what HVCEO supports.

Dr. Autuori added that there was no mention of implementation.

Following this discussion, there was consensus for Chairman Mucchetti to ask Jonathan Chew to attend a future meeting, on a date to be determined dependent on availability.

NEW ITEMS

5. **#2007-022-REF:** Referral pursuant to Sec. 8-3h of the Connecticut General Statutes as amended. Petition of Berkley Holdings Corp. to **Amend** Sec. 4.H.2.b.(3)(g) of the City of Danbury Zoning Regulations to permit heliports in the PND zone. City of Danbury, Zoning Commission, public hearing opened 3/13/2007 continued to 3/27/2007. *For comment.*

Chairman Mucchetti asked for Commission comment on the referral of this proposed amendment to the Danbury zoning regulations, potentially affecting the Town of Ridgefield. She referred them to a map which had been received, which outlines the affected areas, explaining that highlighting was added as explanation.

The Planner said that the colors that have been added are representative of comments made by Dennis Elpern, identifying the affected areas in his memo to the Danbury Planning & Zoning Commission. He stated that the petition is intended to apply to phase 9, but could apply to other non-residential phases within the reserve. The Planner explained that the green highlighting represents residential areas, and the yellow highlight represents areas which could potentially have heliports. The Chairman asked why this had been referred. The Planner explained that this proposed amendment is referred because it affects land within 500' of the Ridgefield border, and it is a change to Danbury's zoning regulations that could have inter-municipal implications. She added that she had received the official referral from HVCEO. (It had been found at the first public hearing that Danbury had not properly referred the proposed amendment to the regional planning agency.) Jonathan Chew then sent a letter stating that this amendment is a category 2, indicating that it potentially affects adjacent municipalities. This letter was also sent to First Selectman Rudy Marconi, and the Commission is being asked to comment.

Mr. Katz clarified that this regulation was not to allow a simple helipad, but rather a full-fledged servicing of all rotorcraft. He said they are asking for a 10,000 gallon underground storage tank for diesel fuel. This is not benign, he stressed. He mentioned that they are talking about a rooftop facility, but that this is hypocritical, because they will need to have maintenance facilities on the ground. He also informed the Commission that helicopter pilots are not subject to any height or flight restrictions once they are given permission to land. He noted that, since Ridgefield is already at a high elevation, all figures for aircraft (given at altitude above mean sea level) leave the Ridgebury area, which this will affect, in a situation where the aircraft flying at 1000' above mean sea level will only be 200+' above a house which, like his, stands at 720 feet above mean sea level. He called it a "designer means of attracting tenants to a corporate use," (in Danbury, Dr. Autuori added). Great for the corporate use, he said, but not good for the community. It needs to be defeated, he said.

Dr. Autuori added that the noise generated by these helicopters is harmful to the public, especially considering the density of the surrounding community.

Mr. Katz felt that this is a Planned Neighborhood Development that was shoehorned into the zoning regulations in one night at the Zoning Commission in Danbury. He referenced the application by the Schaghticoke Indian tribe, citing that there was never a chance that the Schaghticoke were going to be recognized, but Danbury "panicked" and established this PND zone in which Dennis Elpern is the only person who approves or rejects an application, and he is only restricted by his administrative capacity – if it meets the regulation, he has to approve it. No public hearing, no public

input, and no commission input. So if this amendment to the PND zone goes in, there will only be one person who controls what happens in the zone and affects everybody else.

Mr. Walsh asked what exactly the Commission should be telling the City of Danbury. They can regulate themselves, and, if they saw fit to pass a bad zone, then so be it. He noted the proximity to Danbury airport as the most notable objection. He asked if that would be put in the 8-3h referral.

The Planner said that the Commission needs to give her some direction as to what its major concerns are.

Mr. Katz said that the Commission needs to say that they have been advised of an application for an amendment to the zone, and that they ask the following questions: is it necessary to have this amendment with Danbury airport in such close proximity?; does it make sense for Danbury to engender additional neighborhood complaints with regard to a facility that would be built after the residences are built? He suggested that they ask the Zoning Commission to take these questions into account as they deliberate.

Ms. Willis asked why the Commission wouldn't say that noise is detrimental to health, safety and welfare, as Dr. Autuori had pointed out, and also that it is detrimental to property values.

Dr. Autuori said that, with Danbury Airport, there is some benefit to a segment of Ridgefielders, but this is purely to serve a commercial facility to benefit Danbury. He questioned whether or not it would be advisable to request a "neighborly" route which would spare Ridgefield.

The Chairman concluded the discussion by saying the office would draft a letter to the City of Danbury expressing, on behalf of the citizens of Ridgefield, concern about the noise, the necessity for this facility, and the health and safety implications.

Dr. Autuori again mentioned referencing route, and the Planner cautioned him against doing so, having attended the airport meetings and seen what a major issue this had been.

Mr. Katz explained that, while fixed wing aircraft have to follow a flight pattern, helicopter pilots can be "renegade," and are subject to no such restriction.

The Chairman said that a letter will be prepared and sent to the City of Danbury in time for the continued public hearing on March 27, 2007.

6. **#2007-024-REV (SP):** Revision to Special Permit as required by Sec. 312.02.E of the Ridgefield Zoning Regulations to permit a storage shed addition, for the Rifle & Revolver Club on property located at **60 South Street** (Highway Garage) in the B-2

zone. Owner: Town of Ridgefield. Appl.: Ramapoo Rifle & Revolver Club, Inc. 65-day action period ends 5/24/2007. For receipt, schedule walk.

Chairman Mucchetti acknowledged that information about the application was distributed earlier for review by the Commission. Mr. Katz motioned, seconded by Mr. Walsh, to approve the application as submitted. The motion passed, 8-0.

7. **#2007-026-REV (SP):** Revision to Special Permit under Sec. 312.0 as required by Sec. 333.0.(1) of the Ridgefield Zoning Regulations to expand south side of back building at **21(B) King Lane** in the RA zone. Owner: Jesse Lee Memorial United Methodist Church. Appl.: Reverend William Pfohl. 65-day action period ends 5/24/2007. For receipt/schedule walk if necessary.

Chairman Mucchetti recognized Mr. Peter Seirup, present to represent the Jesse Lee Church.

Mr. Seirup stated that a revision to a special use permit to occupy the accessory building behind what was formerly Odd Fellows Hall had been granted them in October. They are not applying to change the activities, however, they would like to enclose the front porch, increasing the width of the building from 16' to 20'. He had a Certificate of Appropriateness from the Historic District Commission, and the Zoning Board of Appeals had granted a variance the night before. Mr. Seirup presented the appropriate documents.

After a brief explanation and discussion about the proposal, Mr. Katz motioned, seconded by Dr. Autuori, to approve the application as submitted. The motion passed, 8-0.

COMMISSION WALKS

There were no walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

There was no correspondence discussed.

MINUTES

Mrs. Willis motioned, seconded by Mr. Slavin, to adopt the minutes of March 6, 2007. The Chairman suggested corrections on page 6. After some discussion about the corrections, the minutes were adopted by a vote of 8-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:50 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary