

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD

March 23, 2010

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

Also Present: Betty Brosius, Inland Wetlands Agent

* Dr. Gelfman arrived at 8:10 p.m., during the presentation for item #1.

Planning and Zoning Commission and Aquifer Protection Agency public hearings were held prior to the meeting.

At 7:50 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2010-021-SR:** Summary Ruling application as required by Section 7.5 of the Inland Wetlands & Watercourses Regulations for the Town of Ridgefield to permit activity in the upland review area in conjunction with construction of a swimming pool, terrace and pavilion on property located at **39 Boulder Hill Road** in the RAA zone. Owners/Applicants: Christopher & Catherine Desmarais. Auth. Agent: Studer Design Associates, Inc. *Received 3/2/2010. 65-day action period ends 5/6/2010. Walked 3/21/2010. For discussion/action.*

Chairman Mucchetti recognized Dean Pushlar from Studer Design Associates, representing the applicant. Homeowners Christopher and Catherine Desmarais were also present.

Mr. Pushlar referred to a color rendering of the plans, explaining that the short-term plan is to build a pool, deck and patio in the backyard, including terracing of the land around the pool with retaining walls. The long-term plan would include construction of a pavilion. The land slopes toward a triangle-shaped area of wetlands in the rear corner of the lot below the pool, connected to a much larger wetland system on the neighboring properties. The outer edge of the construction area is approximately 26 feet from the wetlands. The plan is a “master plan” and may be completed in stages.

Chairman Mucchetti pointed out that the Board walked the property on the previous Sunday, and observed a fence on the neighboring property to the east (Leir Foundation). The fence does not follow the property line, and the Desmarais family has cleared vegetation up to the fence line, including some wetlands within the Leir property; the appearance is that the fence is the property line, when in fact it is inside the Leir property. Mr. Pushlar says that they homeowners would like to reach out to the neighbors and they would re-vegetate that area. Chairman Mucchetti asked about the width of the area between the Desmarais property and the fence; Mr. Pushlar noted that it is about 32 feet wide at the back and about 7 feet at the front of the property.

Chairman Mucchetti recognized Carroll Brewster in the audience, representing the Conservation Commission. Mr. Brewster read a letter from the CC, including comments made by Dr. Ben Oko as Chairman and Alan Pilch, landscape architect and member of the Commission. The CC walked the property on March 12th. The CC is concerned about re-planting of the wetland area that was cleared, but emphasizes the need to control the existing phragmites. The letter also addresses the existing break in the stone wall at the rear of the property and observations that plant material (leaves, cut brush, branches, etc.) has been dumped on Town open space. There was caution that no dumping is allowed, and the opening in the wall should not be used for access to open space for this purpose. If the wall is to be re-built, then no mortar should be used, to minimize impact to the wetlands.

Mr. Pilch's comments in the CC letter include concern about drainage into the wetlands, and methods of conveying storm drainage. The proposed dry well may not function properly in the wet ground. Engineering may be needed to determine the amount of runoff.

Mr. Brewster then asked if the plans had been changed, and if catch basins were still in the plans. Chairman Mucchetti pointed out a memo from Aimee Pardee, Wetlands Inspector/Agent, referencing the catch basins and suggested free-flow of runoff into the wetlands, with vegetated buffers.

Mr. Pushlar said the plans had not been fully designed with engineering, and that detail was intended to be worked out at a later date, if the Board approved the wetlands permit for the pool. The catch basins are shown on the plan, and runoff would be piped to a drywell system or rain garden, or a combination thereof. Chairman Mucchetti notes that the CC letter also includes reference to a rain garden.

Agent Brosius said she had a discussion with Dr. Oko about the CC letter. She also spoke to Wetland Agent Pardee who shares her concern that the drywell system may not work because of the proximity of the wetland soils. Mr. Pilch's comments regarding storm water state that if piping and containment is proposed, then engineering information is needed. However, detailed engineering may not be needed if the alternative is proposed, to pipe the runoff into a planted area or infiltration system or rain garden.

Mr. Pushlar says that typically his firm provides as much information to the Board as possible, without going to the expense of detailed engineering at this time. Once the approval is granted, an engineer would be hired to see what needs to be done for the drainage. Chairman Mucchetti emphasized that with a wetlands approval, this information is needed up-front, so that the Board can render its decision. Agent Brosius repeated that the engineering may not be needed if the filtering system with plant materials is used as an alternative.

Mr. McChesney said that the Board should not act on the application until the plans are revised. Chairman Mucchetti said what is needed is a plan that reflects what is happening to the runoff before it enters the wetlands.

Mr. Katz asked what happens with the pool water when it is drained. Does it go into the wetlands? Mr. Pushlar says they suggest that the pool be lowered when the drywell system is empty (dry periods). Mr. Katz asked about the size of the pool, and how much would be drained to get the water level below the scuppers (skimmers). Mr. Pushlar said the pool is about 50,000 gallons, and about 7-8,000 gallons would be drained. The process would be slow, so it would not overwhelm the drywell.

Chairman Mucchetti said she was not aware of any application where the Board had permitted chlorinated pool water to be drained directly into the wetlands. Agent Brosius said that the pool contractor may have to be consulted by the applicant to get more detail. In some cases, the water is not drained at all, and in other cases, the pool contractor takes the drained water off-site. Mr. Katz agrees that a tanker can be used to take it off-site, and this application should be complete by furnishing information on how this issue would be handled.

Dr. Autuori wanted to know more about the quality of the water that might be drained, because chlorinated water can react with organic materials in the soils. He is concerned about the potential for chemical contamination.

Mr. Mische said he thought the Board would be reluctant to approve an application that allowed any discharge of water into the wetlands at all. There was disagreement by others; Mr. Walsh emphasized that more information is needed about the quality of the water, how much is going to be pumped, and where it is going to be discharged, prior to the Board making a decision.

Mr. Fossi asked for tree protection around the very large maple at the northeast corner of the pool.

Mr. Pushlar addressed the issue of the stone wall, and said that it would be dry-stacked and not mortared. Work on the wall would be done at a later date. Chairman Mucchetti noted the concern about dumping of plant material on open space, and Mr. Pushlar said he would show an alternate area on the applicant's property where composting could occur.

Dr. Autuori asked about control of the phragmites, mentioned in the Conservation Commission comments. Agent Brosius said she understood their concern to be the on-going need to control the phragmites. Chairman Mucchetti agreed. Planting the cleared area with wetland seed mix is fine, but there will need to be periodic maintenance of the phragmites. Mr. Brewster of the CC agreed. An herbicide like Rodeo may be used, but it would have to be handled carefully. Mr. McChesney said he thought the phragmites may not be on the applicant's property, but only on the property next door.

Chairman Mucchetti summarized the items that need to be addressed by the consultant in a revised plan, to be reviewed in two weeks at the first meeting in April:

- Drainage, including methods for dissipating runoff from the catch basins shown on the plan (rain garden or infiltration and planting areas)
- Tree protection for the large maple to the northeast of the pool area
- Details of the methods for discharge or removal of pool water (Will the water be dispersed on site? If so, what are the effects of chemicals on the wetlands? Can the water be removed from the pool and taken away in a tanker?)

BOARD WALKS

There were no site walks to be scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti pointed out the following correspondence:

- Correspondence pertaining to the wetlands permit for **20 Peaceable Street**, including memo from Agent Brosius, email correspondence from the downstream property owner at 113 High Ridge, and notes from a site visit by Board member Autuori (during the height of a major rainstorm)

[**Mr. Walsh** recused himself from discussion on this issue.] Agent Brosius gave a brief report on visiting the property the previous Friday with ZEO Richard Baldelli, observing the work being done by builder Terry Moore. The berm was extended to the edges of the stone-filled trench at the northern end of the property, so that runoff from 20 Peaceable Street would be directed into the trench prior to running off onto the Egan property to the north. She spoke to Mr. Egan by phone following today's rainstorm, and it appears that there may still be a small break next to the western edge of the berm, but conditions were improved over the previous storm. However, there is still much water coming onto the Egan property. The Agent confirmed that the system needs to be observed through several rain storms in the coming weeks, prior to the Board's consideration to release the bond.

- *The Habitat* newsletter of CACIWC (CT Association of Conservation and Inland Wetlands Commissioners)

MINUTES

Mr. Mische motioned, seconded by Mr. Chipouras, to approve the minutes of March 2, 2010. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 8:19 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION

March 23, 2010

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

Also Present: Betty Brosius, Director of Planning

Planning and Zoning Commission and Aquifer Protection Agency public hearings were held prior to the meeting.

At 8:20 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

Chairman Mucchetti noted that the public hearings for items numbered 1, 2 and 3 were closed, and each item was addressed separately for decision.

1. **#2009-110-A-APA:** Amendment to Zoning Map, add **Level A Aquifer Area**, *Commission Initiated. For action.*

Mr. Katz motioned, seconded by Mr. Chipouras, to amend the official Zoning Map of the Town of Ridgefield, to delineate the State-defined Level A aquifer (the Oscaleta Well Fields) on the map. The motion passed, 9-0.

The amendment becomes effective on the day after the date of publication of the legal notice of decision, provided that the map amendment is filed in the office of the Town Clerk.

2. **#2009-110-A-APA:** Amendment to the Zoning Regulations, **Sec. 6.2 (Aquifer Protection Zone)**, *Commission Initiated. For action.*

Mr. McChesney motioned, seconded by Mr. Fossi, to adopt the proposed amendments to the Zoning Regulations Section 6.2 (Aquifer Protection Zone). The motion passed, 9-0.

The adopted amendment includes changes which accomplish the following: (1) define the difference between locally-defined aquifers and the state-defined aquifer, (2) add language for limitations on home occupations within locally-defined aquifers, (3) reference “Best Management Practices” in the separately proposed Aquifer Protection Regulations to be administered by the Aquifer Protection Agency, and (4) provide a method for determination of regulated and non-regulated agencies when the applicant questions the applicability of the regulations.

The amendments become effective on the day after the date of publication of the legal notice of decision.

3. **#2009-110-A-APA:** Amendment to the Aquifer Protection Districts map, to show the **State-defined aquifer**, *Commission Initiated. For action.*

Mr. Mische motioned, seconded by Mr. Chipouras, to amend the Aquifer Protection Districts map, to identify and show the location of the state-defined aquifer (the Oscaleta Well Fields) on the map. The motion passed, 9-0.

The amendment becomes effective on the day after the date of publication of the legal notice of decision, provided that the map amendment is filed in the office of the Town Clerk.

4. **#2010-006-SP:** Special Permit application under Section 9.2 required by Section 3.3.D.2 of the Ridgefield Zoning Regulations to conduct a major home occupation on property located at **196 North Salem Road** in the RAA zone. Owner: Inga Engstrom. Appl.: J S Dental Manufacturing, Inc. *Received 2/2/2010. Walked 2/21/2010. Public hearing commenced and closed 3/9/2010. Draft Resolution of Approval requested 3/9/2010. 65-day action period ends 5/13/2010. For action.*

Chairman Mucchetti pointed out the draft resolution of approval prepared by the Planner. She noted for the record that Mr. McChesney had recused himself from participation in the public hearing, discussion and decision on this item.

Mr. Katz motioned, seconded by Mr. Fossi, to adopt the resolution as drafted. Mr. Katz asked that the words “not more than” be added to condition #4, indicating that there would be not more than three full-time and three part-time employees. The motion to approve the resolution (as amended) passed, 8-0-1, with Mr. McChesney recused.

5. **#2010-023-REV(S):** Revision to approved subdivision plan, condition #7 requiring shared driveways between lots 1 and 2 on property located at **Peaceable Street** (Ward Acres Farm Subdivision) in the RAA zone. Owners: Diane McNamara, Donald Sturges and James Sturges. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *65-day action period ends 5/6/2010. Received 3/2/2010. Walked 3/21/2010. For action.*

Chairman Mucchetti recognized Rex Gustafson, attorney representing the applicants, and pointed out that several Commissioners had attended the site walk on 3/21/10, with others visiting the site individually. The Chairman noted that the alternative driveway location and the original location were both staked in the field, for observation.

Mr. Katz motioned, seconded by Mr. McChesney, to approve the request for revision to the subdivision condition, eliminating the requirement for a shared driveway on lots 1 and 2. Chairman Mucchetti noted that the Planner had prepared an advanced draft resolution for the Commission's consideration, in anticipation of a favorable motion.

Chairman Mucchetti said she had asked the Planner about why shared driveways were recommended at the time that the subdivision was approved, and the explanation was that fewer curb cuts are generally a good planning idea. The reality, however, is that homeowners do not like shared driveways. Mr. Katz pointed out that (in the original review of this subdivision) the Commission also considered the preservation of a valuable tree buffer. The lot line change and the relocation of this driveway in the new plan preserves the tree barrier between the two lots, but trees will have to be cut for the new curb cut. Chairman Mucchetti noted that the Commission may see more requests for separated driveways in the future. Mr. Gustafson confirmed that there are no other vacant lots to be developed in this subdivision, and there are shared driveways already in use.

The motion to approve the application passed, 9-0.

6. **#2010-026-VDC:** Village District Application under Section 8.3 of the zoning regulations for signage and awning modification on building located at **449 Main Street** in the CBD zone. Owner: Addressi Center II, LLC. Appl./Auth. Agent: Paul Krause Architects, Michael G. Tierney, Architect. *Received 3/9/2010. Tabled 3/9/2010. Village District report received 3/10/2010. For discussion/action.*

Chairman Mucchetti referenced the minutes of the Village District Consultant, recommending approval of the application. The Commission reviewed an advanced draft resolution approval, prepared by the Planner in anticipation of a favorable motion (based on the VDC report).

Mr. Katz motioned, seconded by Mr. Chipouras, to approve the application as presented and recommended by the VDC. The motion passed, 9-0.

NEW ITEMS

7. **#2010-029-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e. pursuant to Section 5.5 of the Ridgefield Zoning Regulations for utility infrastructure for the proposed PPR and SA buildings on property located at **900 Ridgebury Road** in the CDD zone. Owner/App.: Boehringer Ingelheim Pharmaceuticals, Inc. Auth. Agent: PS&S, LLC. *65-day action period ends 5/27/2010. For receipt, schedule walk.*

Chairman Mucchetti asked for acknowledgement of receipt of the application and suggested a site walk for April 11, 2010, with discussion to be held on April 13th.

Mr. Walsh motioned, seconded by Mr. Mische, to acknowledge receipt of the application and to schedule the site walk and discussion date as suggested. The motion passed, 9-0.

8. **#2010-030-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e. pursuant to Section 3.2.C of the Ridgefield Zoning Regulations to replace original front porch on the building known as “Old Hundred” located at **258 Main Street, Aldrich Contemporary Art Museum** in the RA Zone. Owner/Apl.: The Aldrich Contemporary Art Museum. Auth. Agent: Doyle Coffin Architecture, LLC. *65-day action period ends 5/27/2010. For receipt/discussion/schedule walk if necessary.*

Chairman Mucchetti pointed out the rendering of the proposed front porch for the historic building, and various approvals from other agencies, including a variance from the Zoning Board of Appeals and approval by the Historic District Commission. The Planner said the State Historic Commission had also approved the plans, and she reminded the Commissioners that they had seen a preview of the proposed renovations at an earlier date, when they reviewed replacement of windows in the building and other exterior upgrades.

Mr. Katz motioned, seconded by Mr. Walsh, to approve the application as presented. The motion passed enthusiastically and unanimously, with a vote of 9-0.

9. **#2010-031-PRE:** Pre-submission concept under Section 9.2.E of the Ridgefield Zoning Regulations for property located at **613 Main Street** in the R-20 Zone to convert an existing residential structure to commercial under adaptive reuse, remove rear building and construct two residential apartment buildings. Owner: Patrick Downend. *For discussion/schedule walk.*

Chairman Mucchetti recognized Patrick Downend, applicant, who explained the proposal for conversion of the existing street-side residence for business use as small offices, pursuant to the Adaptive Reuse zoning regulations (Section 3.2.C.6). There would be some cosmetic improvements to the exterior. The smaller residential building at the rear of the property, which is not in good condition, would be removed and replaced with two residential structures containing three units each, for a total of six residential units. The plan includes combining driveways with the building to the south, and making a single curb cut. The building at the rear of the property is poorly located and impedes traffic flow. Removal will improve traffic circulation. Aesthetically it will be a big improvement.

The Planner explained that the applicant met previously with her and ZEO Richard Baldelli to discuss the proposal. The plans were prepared by architect Peter Coffin and landscape architects Studer Design of Ridgefield. The application submission would be required in two parts, one a Special Permit for the Adaptive Reuse of the building in

the front, and a second application under 8-30g of the State statutes, permitting the residential units with two of the six as “affordable” according to the definition of the State. There are three one-bedroom units, and three two-bedroom units.

Mr. McChesney says he would like to see this property have rear access to Pound Street. The Main Street road cut is in a location that could be dangerous. Mr. Downend says that he has had a dialogue with the owner of the property next door, but Mr. Paris is reluctant to memorialize a formal agreement that might limit the use of his own property. There is actually a connection through the property on the area that would need to be formalized for the shared driveway.

Chairman Mucchetti says she likes the idea of a low-impact, low-density, proactive 8-30g application. It is a small step in the right direction.

Mr. Katz asked about the intensity of the proposed use in the front building, in order to consider the total traffic impact at this difficult location. Mr. Downend says there are about 1200 s.f. on the first floor and about 860 on the top floor. The expected tenants would be low volume business functions, such as small office users like accountants and lawyers. There would only be a few people in each office. He points out that he is a town resident with concern for development, and this property was purchased as an income property with the intent to improve it.

Mr. Walsh asked about the possibility of connecting the parking lot to the Citibank property to the north. Mr. Downend said he has talked to the owner, and that is a possibility. There was also some discussion about the properties to the rear, but it was determined that New Street is distant from the rear of this property. Mr. McChesney says these are just some suggestions, because there is a concern about egress onto the main road. The Planner points out that an agreement for the shared and combined driveways with the Paris property would have to be formalized as part of the application, and there is physically a way for cars to go through the parking lot to exit on Pound Street, even though it would not be part of the driveway agreement.

Mr. Mische asked about the zone, and the height of the buildings. The zone is R-20. The Planner pointed out that the building next door (Citibank) is very tall, and these residential units appear to be shorter in height.

Mr. Chipouras thinks that all three properties (between Citibank and Pound Street) would benefit from a mutual agreement to connect all the parking at the rear of the buildings.

Mr. Katz proposes that there be consensus of the Commission to allow the applicant to go forward, and that the details being discussed about parking and access could be fleshed out in the application review. There was consensus for the applicant to go forward with the application, with emphasis on managing access and egress to the site, using cross-connections with neighboring properties as much as possible.

10. **#2010-032-SP:** Special Permit under Section 9.2 pursuant to Section 3.6.C.1.a to allow construction/installation of a shed exceeding permissible coverage on property located at **Gino's Way, Lot 5** in the R-10 zone. Owner/Appl.: Sturges Brothers, Inc. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *65 days to commence public hearing ends 5/27/2010. For receipt, schedule walk and public hearing.*

Chairman Mucchetti asked for acknowledgment of receipt of the application and suggested April 11 for a site walk and April 13 for a public hearing.

Mr. Katz motioned, seconded by Dr. Autuori, to acknowledge receipt of the application and to schedule the site walk and public hearing as suggested. The motion passed, 9-0.

11. **Chairman's report.**

Chairman Mucchetti gave a report on the following three items:

- A meeting she attended in Weston, at the invitation of the Chairman of the Westport Planning and Zoning Commission;
- Issues for future discussion at Commission meetings; and
- Resignation of the Board/Commission Recording Secretary

Meeting of the Fairfield County Chairmen:

The Chairman said the meeting was organized by the Chairman of the Westport Commission, the meeting was held in Weston, and included the chairs of Weston, Westport, Norwalk, Darien, New Canaan, Ridgefield and Fairfield. They met to "compare notes" about prominent issues in their respective towns.

By far, the biggest concern is the 8-30g state regulation, and the threat of large-scale densities of housing. Darien has taken a proactive approach, to designate areas where 8-30g applications might be appropriate. Darien and Westport are working toward adding enough units to qualify for a moratorium; the Planner said that such numbers are not easily achieved, and it would be difficult for Ridgefield to do the same.

New Canaan and Westport had concerns about preserving first floor retail uses in the downtown business areas, and both are starting to get pressure from the "mall stores" to fill up vacant store fronts.

Chairman Mucchetti said that Fairfield, Darien and Westport all televise their meetings. They also have RTMs (Representative Town Meetings), and Westport (as a Special Act community) has a provision within its Charter that allows the RTM to overturn a decision of the Planning and Zoning Commission.

In Westport, Fairfield, Darien and New Canaan, politics is important and political lines can be seen in the actions of the commissions. It was agreed that Ridgefield does not

share this characteristic. The combination of politics and televising of the meetings is challenging in the other communities.

The subject of Commission counsels was also discussed, and there are several towns who share counsel with the administrative body. There was interest in Ridgefield's association with Collins, Hannafin et al, and the fact that this Commission has great confidence in its litigation attorney for land use matters.

The next meeting of the "chairs" will be held in May.

Issues for Future Discussion:

Chairman Mucchetti suggested that the Commission think about issues that might be discussed at future meetings where the agendas might be light. She pointed out downtown parking as an example of such an issue, since there have been so many discussions about parking in the past, and it still remains a problem. She suggested that relaxing the parking requirements by getting rid of regulations within the CBD zone might be something to consider.

Commission members were encouraged to bring ideas for future discussions to a meeting in April.

Recording Secretary:

Recording secretary for the Commission, Linda Caponetti, has resigned, and the Planner will be doing the minutes for the immediate future. The Human Resources Department is currently interviewing candidates for secretarial services for other Boards and Commissions, and will add Planning and Zoning and Wetlands to the list. Laurie Scholl, Director of Human Resources, will send prospective applicants to the Planner for consideration.

COMMISSION WALKS

As noted above, the following items were scheduled for site walks on **April 11, 2010:**

- **#2010-029-REV(SP):** Revision **900 Ridgebury Road**, Boehringer Ingelheim Pharmaceuticals, Inc.
- **#2010-032-SP:** Special Permit **Gino's Way, Lot 5**, Sturges Brothers, Inc.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti pointed out the following correspondence:

- Memo and notes from Heidi Samokar of Planimetrics, including proposed discussion items for the work session on the update to the Plan of Conservation and Development, scheduled for March 30, 2010

- New York Times article about the Town of Oxford moratorium on affordable housing applications
- Invitation from the Conservation Commission for its Annual Meeting to be held on April 7th in the Board of Education meeting room, with Dr. Michael Klemens as speaker for the event
- Minutes from the AAC for review of proposed rebuild and renovations of the Ridgefield BMW dealership

MINUTES

Mr. Mische motioned, seconded by Dr. Gelfman, to approve the minutes of March 2, 2010. The motion passed, 9-0.

Mr. Chipouras motioned, seconded by Dr. Gelfman, to approve the minutes of March 4, 2010. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:04 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning

UNAPPROVED/UNREVISED
MINUTES
AQUIFER PROTECTION AGENCY

March 23, 2010

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

Also Present: Betty Brosius, Director of Planning

Planning and Zoning Commission and Aquifer Protection Agency public hearings were held prior to the meeting.

At 9:05 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2009-110-A-APA:** Proposed NEW regulations entitled, “**Aquifer Protection Area Regulations** for State-defined Level A Public Water Supply Aquifer Areas,” pursuant to Section 22a-354n of the Connecticut General Statutes. Initiated by the Aquifer Protection Agency of the Town of Ridgefield. *Public hearing commenced 3/23/2010. For action.*

Chairman Mucchetti noted that the public hearing had been closed and asked for discussion and action on the proposed regulations. She asked the Planner to explain the effective date of the regulations, to follow adoption.

The Planner explained that the regulations would be modified to add the dates of adoption of the map amendments showing the Level A aquifer (Zoning Map and Aquifer Protection Districts map). A certified copy of the adopted regulations must be forwarded to the CTDEP for review and acceptance. The CTDEP representative has already reviewed the regulations, and finds them acceptable, but a letter must be generated by the DEP Commissioner to confirm acceptance. The date of the letter would become the effective date of the regulations.

Dr. Gelfman motioned, seconded by Dr. Autuori, to adopt the Proposed Aquifer Protection Regulations for the State-Defined Level A Aquifer, as drafted. The motion passed, 9-0.

NEW ITEMS

There were no new items.

CORRESPONDENCE

There was no correspondence.

MINUTES

Mr. Fossi motioned, seconded by Mr. Mische, to approve the minutes of December 8, 2009. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:07 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning