

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD

May 5, 2009

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

A public hearing was held prior to the meeting. At 10:10 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

There were no pending items.

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:

- Memo to the IWB from the IW Agent, re Water Testing of Drainage System at **20 Peaceable Street**, re Modified Permit **#2006-103-SR**.

MINUTES

Mr. Mische motioned, seconded by Mr. Chipouras, to approve the minutes of **April 21, 2009**. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 10:11 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION

May 5, 2009

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

Public hearings were held prior to the meeting.

At 10:12 p.m. Chairman Mucchetti called the meeting to order. [Note: Item #5 was addressed first, to accommodate the applicant.]

PENDING ITEMS

1. **#2009-018-VDC:** Village District Application under Section 8.3 required by Section 5.1 of the Ridgefield Zoning Regulations for demolition of vacant retail bank branch and office building (formerly Webster Bank). Property located at **25 Prospect Street** in the CBD zone. Owner/Appl.: Ridgefield Library Association, Inc. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 3/24/2009 and referred to VDC. Public hearing commenced 5/5/2009. 65- day action period ends 7/9/2009. For action.*

Chairman Mucchetti requested that discussion be scheduled for May 12, 2009, due to the late hour.

Mr. McChesney asked for some clarification of the statement made by the attorney for the applicant, when Mr. Jewell questioned the authority of the Commission under the state statutes and local zoning law, to review a proposal for demolition of a building in the Village District. It is the applicant's opinion that the regulation only applies to "rehabilitation and reconstruction," and there is no plan for redevelopment of the property.

Mr. Katz said that the regulations were quite clear, and the library had stated on the record repeatedly that it was their intent to eventually expand the library into the 25

Prospect Street property. In fact, they had stated that the bank property was the only direction that an expansion could go.

Chairman Mucchetti noted that Commission counsel had confirmed that the proposed demolition (changing the use of the property) would be subject to the regulations, and the Planner agreed.

There was no further discussion.

NEW ITEMS

2. Proposed change to fee schedule – reduce fee for Special Permit for signs to \$100.00. *For discussion/action.*

Chairman Mucchetti referenced the Planner’s memo and her recommendation that the base application fee for Special Permits where the only request is for signs [pursuant to Sec. 7.2 of the regulations] be reduced to \$100 per application.

Mr. Katz motioned, seconded by Dr. Autuori, to approve the change as proposed. The motion passed, 9-0.

3. *Discussion* of proposed use for **901 Ethan Allen Highway (file #2005-105-SR-SP)**.

Chairman Mucchetti pointed out the Planner’s memo and explanation of the proposed use for the site. The Planner explained the difference between the proposed use and a former request for a “fitness center”. This facility is intended to provide rehabilitative and preventative physical care, and there would be facilities on site to work with athletes in various sports, to rehabilitate for injuries and to provide physical conditioning for prevention of sports injuries.

It was the general consensus of the Commission that, if the facility is managed by medical professionals and if medical and chiropractic care is provided on-site, that it would be permitted as a “medical” use in the zone.

4. **#2009-030-SP:** Special Permit application under Section 9.2 as required by Section 5.3 of the Ridgefield Zoning Regulations to construct a side addition with new offices, a two car garage and to provide a new 8 car exterior parking layout at **40 Grove Street** in the B-2 zone. Owner/App.: 40 Grove Street LLC. Auth. Agent: Douglas MacMillan. *65-days to commence public hearing ends July 9, 2009. For receipt, schedule walk and public hearing.*

Chairman Mucchetti asked for acknowledgement of receipt of the application, and suggested June 7th for a walk date and June 9th for a public hearing.

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

5. **#2009-031-REV(SP)**: Revision to Special Permit under Section 9.2.A.7.e as required by Section 3.6.C.1.b of the Ridgefield Zoning Regulations to add interior stairs to room over the garage and an addition of a box bay area off the dining room for proposed new single family residence located on **Lot #2 Arnold's Way** in the SD-R20 zone. Owner: Elizabeth Yanity. Appl.: Richard Ramey. Auth. Agent: Douglas MacMillan. *65-day action period ends July 9, 2009. For receipt/discussion/action.*

Chairman Mucchetti introduced Doug MacMillan, who was present to discuss the application. The Planner had prepared a memorandum describing the proposed change, which would revise the original approval granted by the Commission on February 17, 2009.

Mr. Walsh asked the applicant if the proposed change was in compliance with the regulation, and if the additions fell within the 140% maximum exception for lot covered as stated in the regulations.

Mr. Macmillan confirmed that the numbers were in compliance, and briefly described the box bay window "bump-out" on the north side of the building, and the stairs leading to the upper level of the garage, making it useable space. The Planner noted that the stairs were "interior" (walls would be constructed) and not "exterior" as shown in her memo.

Mr. Katz asked for clarification that the upper garage space could be used as "liveable" space. It was confirmed that it could. [Note: There was no request for an accessory apartment, but only a request that space be "useable".]

Mr. Katz motioned, seconded by Mr. Walsh, to approve the application as presented. The motion passed, 9-0.

COMMISSION WALKS

As noted above, the Commission scheduled the following site walk for **June 7, 2009**:

- **#2009-030-SP**: Special Permit **40 Grove Street**, 40 Grove Street LLC

REQUESTS FOR BOND RELEASE / REDUCTION

There were no requests for bond release or reduction.

MINUTES

Mr. McChesney motioned, seconded by Mr. Katz, to approve the minutes of **April 21, 2009**. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at

Respectfully submitted,

Betty Brosius
Director of Planning