

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

June 1, 2010

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

Absent: Rebecca Mucchetti, Chairman

*Planning and Zoning Commission public hearings were held prior to the meeting.
At 9:04 p.m. Vice Chairman Walsh called the meeting to order.*

PENDING ITEMS

1. **#2010-020-PR:** Plenary Ruling application as required by Section 7.6 of the Inland Wetlands & Watercourses Regulations for the Town of Ridgefield for regulated activities within the wetlands and upland review areas for piping and reconstruction of watercourses in conjunction with the development of a single family residence on property located on **Second and Third Lanes** in the RA zone. Owner: Wayne E. Wood and The Estate of Charles F. Dean, Jr. Auth. Agent: John F. McCoy, VII, P.E. *Received 3/2/2010, walked 3/21/2010, public hearing commenced 4/6/2010, continued to 4/20/2010, continued to 5/4/2010, continued and closed 5/18/2010. Draft Resolution of Approval requested 5/18/2010. 35-day action period ends 6/22/2010. For action.*

Vice Chairman Walsh referenced the draft resolution of approval prepared by the Agent. Discussion followed, with requests for changes to the conditions.

Mr. McChesney referred to condition #9(a), which references the Drainage Maintenance Agreement. He feels that the hydro-works grit chamber should be specifically referenced in the condition because it is one of the most important components of the drainage system.

Mr. Mische felt that the plans specifically show the grit chamber, and mentioning it again would be redundant. Mr. Katz was concerned that maintenance include a requirement to follow the manufacturer's recommendations for frequency of cleaning. The consensus of the Board was to include the specific reference to the grit chamber in condition #9(a), and to make sure it is adequately addressed in the Drainage Maintenance Agreement.

Dr. Autuori asked about paragraph 11 and requirements for extending the permit. He wanted to add the words, “provided that any activity that has begun has been 100% stabilized in a manner acceptable to staff...” Vice Chairman Walsh pointed out that the Agent used language from the Statutes in listing the requirements for extension of the permit. The condition remained as drafted.

Mr. McChesney was concerned about condition 10(a) and reference to the need for a bond to include “an amount sufficient to cover the removal of sediments that may enter Mamanasco Lake as a result of the construction activity.” He pointed out the need to have a benchmark for determining what was caused by the new construction, and what might have occurred prior to that. Photographic evidence might be needed, or a professional assessment. The condition is problematic.

Vice Chairman Walsh asked what amount of bond would be needed for cleaning of the existing “deltas” of sediment currently in the lake. Mr. Katz recalled testimony of \$50,000 for the work.

Mr. Fossi understands the intent of the condition, but agrees with Mr. McChesney that it is problematic unless sediments in the lake can be indisputably linked to the activity in the permit. He also points out that there would be a problem with documenting the deltas of sediment now, when work might not start for 2-3 years.

The result of the discussion was agreement to eliminate #10(a) as written, but to ask the Agent to consider whether the bond requirements in the conditions adequately reflected the Board’s concerns.

Mr. Mische was concerned about condition #4, and the need for frequent reports from the supervising engineer. He felt that weekly reports are needed. Mr. Fossi reminded the Board about conditions imposed on the Boys and Girls Club, which might also be appropriate in this case. Reports were required bi-weekly, with additional inspections required after each ½ inch storm event.

The Board agreed to ask the Agent to review #4 and to include language stating that staff could establish and change the reporting schedule according to the level of activity and work that is being done.

Mr. McChesney asked about the status of the question about the use of “flocculents” for capturing sediments. Vice Chairman Walsh referred to correspondence sent to the Board by the Agent. The over-all consensus was to require a change in the plans, to eliminate reference to the use of flocculents.

The resolution, when revised, will be brought back for final vote on 6/8 or 6/15. (The time period for decision ends on 6/22/10).

NEW ITEMS

There were no new items.

BOARD WALKS

The following item had been previously scheduled for site walk on **June 6, 2010**:

- **#2010-052-SR**: Summary Ruling, **100 Holmes Road**, Cotter

REQUESTS FOR BOND RELEASES/REDUCTION

- **#2008-028-SR**: request for release of bond balance, \$1,500.00, **10 Kendra Court**, Whitford. *IWA recommends release.*

Mr. Katz motioned, seconded by Mr. Fossi, to release the bond in full as recommended by the IW Agent. The motion passed, 8-0.

- There was unanimous consensus to add discussion re a request for release of bond for property at 80-90 Silver Spring Road, a wetlands violation filed under #2007-115-WV, for applicant Richard Szentkuti.

There was discussion regarding the request for release of the \$10,300 bond, and the IW Agent's recommendation that only the portion of the bond covering erosion and sedimentation control (\$3,700) should be released at this time.

Mr. McChesney motioned, seconded by Mr. Katz, to release \$3,700 of the bond as recommended by the Agent. The motion passed, 8-0.

CORRESPONDENCE

Vice Chairman Walsh referred to the correspondence in the packet:

- Letter from Environmental Land Solutions re activities at **85 Spring Valley Road**
- Clark Engineering letter dated 5/21/10 to B.Brosius re **20 Peaceable Street**
- Letter dated 5/25/10 from B.Brosius to Tom and Yvonne Franco, re revised location of proposed garage at **304 Old Branchville Road**
- **"Recent Court Cases"** hand-out from CTDEP Training Segment 2 (attended by Aimee Pardee), citing decisions of relevance to Inland Wetlands Agencies

MINUTES

Mr. McChesney motioned, seconded by Dr. Autuori, to approve the minutes of May 18, 2010. The motion passed, 8-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:19 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent
(from audio tapes and information provided by Vice Chairman Walsh)

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John Katz
James McChesney
Phil Mische
Patrick Walsh, Vice Chairman

Absent: Rebecca Mucchetti, Chairman

Public hearings were held prior to the meeting.

At 9:20 p.m., Vice Chairman Walsh called the meeting to order.

PENDING ITEMS

1. **#2010-038-SP:** Special Permit application under Section 9.2 required by Section 3.3.D.1 of the Ridgefield Zoning Regulations for an accessory dwelling unit on property located at **50 Laurel Hill Road** in the RAA zone. Owners/Appls.: John E. Proctor and Jennifer M. Ferrandino. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 4/20/2010. Walked May 16, 2010. Public hearing commenced 6/1/2010 and continued to 6/22/10.*

Vice Chairman Walsh noted that the hearing had been continued to 6/22/10, and there was no discussion. [Note: Dr. Autuori recused himself from participation in the hearing.]

2. **#2010-039-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 in the lower level of an accessory building located at **50 Laurel Hill Road** in the RAA zone. Owners/Appls.: John E. Proctor and Jennifer M. Ferrandino. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 4/20/2010. Walked May 16, 2010. Public hearing commenced 6/1/2010 and continued to 6/22/10.*

Vice Chairman Walsh noted that the hearing had been continued to 6/22/10, and there was no discussion. [Note: Dr. Autuori recused himself from participation in the hearing.]

3. **#2010-044-SP:** Special Permit application under Section 9.2 required by Section 3.4.D.3 of the Ridgefield Zoning Regulations to construct a replacement two (2) car garage with a studio above in the front yard on property located at **120 Prospect**

Ridge in the RA zone. Owner/Apl.: John Weatherley. Auth. Agent: Robert Grasso. *Received 5/4/2010. Walked May 16, 2010. Public hearing commenced 6/1/2010 and continued to 6/22/10, to allow the applicant time to send out the required notices to neighbors within 100 feet of the site.*

Vice Chairman Walsh noted that the hearing had been continued to 6/22/10, and there was no discussion.

COMMISSION WALKS

There were no site walks to be scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Vice Chairman Walsh referred to the correspondence included in the packet.

- Memo from B.Brosius to R. Marconi re request for approval of training session for Richard Baldelli to attend course on 6/18/10, for local enforcement officials, "Illegal Dwelling Units," sponsored by CAHCEO
- Historic District Commission decision of 5/27/10 to DENY application for Certificate of Appropriateness, to move historic Seymour House from **191 West Lane** to the Keeler Tavern Site on Main Street [Mr. Katz informed the Commission that the house will be dismantled and stored until it can be re-built at an approved location.]

MINUTES

Mr. Mische motioned, seconded by Dr. Autuori, to approve the minutes of 5/18/10. The motion passed, 8-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:24 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning
(from audio tapes and information provided by Vice Chairman Walsh)