

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

July 13, 2010

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

Planning and Zoning Commission public hearings were held prior to the meeting.
At 8:51 p.m. Chairman Mucchetti called the meeting to order. At 9:10 p.m., the Chairman temporarily adjourned the meeting, and the Planning and Zoning Commission was convened. The Board reconvened the wetlands meeting at 10:21 p.m.

PENDING ITEMS

1. **#2010-057-SR:** Summary Ruling Application under Section 7.5 required by Section 4.3 of the Inland Wetlands and Watercourses Regulations of the Town of Ridgefield for pond and stream dredging and maintenance on property located at **312 Rippowam Road** in the RAAA zone. Owner/Appl.: Roger Provey. *65-day action period ends 8/19/2010. Received 6/15/2010. Walked 6/27/2010. Draft Resolution of Approval requested 7/6/2010. For discussion/action.*

Chairman Mucchetti referenced the resolution of approval drafted by Agent Brosius and stated that some of the conditions had been contributed by Agent Pardee. Agent Brosius explained the suggestions by Wetlands Inspector/Agent Pardee, and minor revisions were made to the resolution.

In condition #2, Agent Brosius pointed out that the Agent Pardee was not aware of the Board's site walk and observations that the travelway was distinct from the wetlands. Agent Brosius stated that the requirement to flag wetlands (condition #2) may be eliminated.

Mr. Mische pointed out that dredging areas A, D and E should all be mentioned in condition #6 requiring that the location of the travelway to these areas be added.

Mr. Fossi stated that the area where wetlands had been filled for the travelway was very obvious on the site walk, and flagging of the wetlands in that area was

unnecessary. He recommended leaving the requirement for the orange construction fence. All others agreed.

Agent Brosius pointed out the need for the Type II settling basin in condition #3, and stone check dams at the outlet of the discharge pipe. In all cases, items required in conditions but not appearing on the plans need to be added to revised plans prior to work beginning.

Mr. Mische asked about the “stilling basin,” and thought there were two basins required. Agent Brosius said that the Type II basin replaces the sheet of plywood at the discharge pipe, and a sump basin at the top of the stream is also included.

A requirement for plantings for stabilization has been added.

Mr. Mische motioned, seconded by Mr. Fossi, to approve the application according to the revised draft resolution. The motion passed, 9-0.

2. **#2010-063-PD:** Summary Ruling Application under Section 7.5 required by Section 4.3 of the Inland Wetlands and Watercourses Regulations of the Town of Ridgefield for pond dredging on property located at **625 Ridgebury Road** in the RAA and RAAA zones. Owners: Robert and Lessley Burke. Auth. Agent/Appl.: Nazzaro, Inc. *65-day action period ends 9/9/2010. Received 7/6/2010, walked 7/11/2010. For discussion/action.*

Chairman Mucchetti recognized Gene Nazzaro, who presented the application and gave an overview of the proposed work. The Chairman pointed out that the Conservation Commission would be walking the site on 7/16/10, and that final discussion and action on the application would take place on 7/20/10, pending receipt of the CC comments. Agent Brosius indicated that comments may also be forthcoming from Wetlands Inspector/Agent Pardee.

Mr. Nazzaro distributed sheets to correct the Construction Sequence on the plans, and erosion and sedimentation details. The objective is to restore the pond to its former state. The construction access would be through the horse paddock. He verified that 100% of the dredged material would be taken off the site. A forebay would be constructed at the inlet to the pond, to trap and control future sediments. He indicated the limits of activity by pointing to the plan. The only work in the stream channel would be for the construction of the forebay. He explained the details of a forebay, and how it works to trap sediments.

Mr. Nazzaro explained the use of a “dirt bag” system to control sediments at the outlet of the discharge pipe. Agent Brosius noted that Agent Pardee recommended a Type II settling basin, which seems to work better than the dirt bag.

Mr. Katz asked if the trucks removing sediments would be completely sealed, to prevent spillage on the roads. Mr. Nazzaro confirmed that the trucks will be lined and water-tight.

Mr. McChesney asked about the proposed swale on the west side of the pond. He noted that there was one deep scar from the hill behind the property. He questioned how that swale will work. A detail of the swale was provided by Mr. Nazzaro, showing that it needs to be armor-coated, to prevent erosion. The swale will intercept the runoff that is creating the scour, and will divert this water to the area above the forebay.

Mr. Fossi asked Mr. Nazzaro about the number of cubic yards of material being removed, and confirmed that it is about 700 cubic yards.

Chairman Mucchetti asked about the amount of time needed to do the work. Mr. Nazzaro said that it would be about 3 weeks, and work would be performed during dry periods.

Further discussion on the item was tabled until 7/20/10.

NEW ITEMS

3. **#2010-067-REF(IW)**: Referral under Section 8-7d(f) for the Connecticut General Statutes to conduct regulated activities within 500' of the Town of Ridgefield. Property located at 9 Great Pond Lane in the **Town of Redding**. Owners: Johannes P. VanBrakel and Tricia L. Nelson. *For review/discussion/action.*

[**Mr. Walsh** recused himself from discussion and participation on this item.]

Chairman Mucchetti referenced a memo from Wetlands Inspector/Agent Pardee, who had visited the site at 9 Great Pond Lane, and had provided a list of recommended comments to be sent to the Town of Redding. Agent Brosius described the location of the property and explained that a large amount of fill had been deposited on a steep slope above the wetlands to the east and south of Great Pond. She emphasized that Ridgefield has no authority over anything that happens in Redding, but a strong letter would be appropriate.

Dr. Autuori motioned, seconded by Mr. Katz, to send a letter to the Town of Redding with the comments suggested by Agent Pardee. In addition, Dr. Gelfman asked that the letter emphasize the urgency of implementing erosion controls, because of the potential threat to Great Pond.

The motion to send the letter passed by a vote of 8-0-1, with Mr. Walsh recused.

4. **#2010-071-REV(SR)**: Request for Revision to previously approved Summary Ruling wetlands permit, for retaining walls and completion of driveway crossing wetlands and intermittent watercourse, property located at **289 Old Branchville Road** in the RAA zone. Owners/Applicants: Jason and Marisa Rotenberg.

Authorized Agent: John F. McCoy, P.E. *65-day action period ends 9/17/10. For receipt/suggest individual site walk / discussion/action on 7/20/10.*

Chairman Mucchetti explained the location and described the property for this application, and reminded the Board of the nature of the original wetlands permit, for a bridge over a boulder field of wetlands.

The application was received by unanimous consent, with the understanding that engineer John McCoy would be at the meeting on July 20th. He would be asked for a more detailed description of the proposed work. Board members may visit the site individually during the week. Further discussion was tabled to 7/20/10.

BOARD 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 receipt of “The Habitat” newsletter from CACIWC (CT Assoc. of Conservation and Inland Wetlands Commissioners), and drew attention to an article on the proper removal of invasive plants.

MINUTES

There were no minutes to approve.

Hearing no further discussion, the Chairman adjourned the meeting at 10:25 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

July 13, 2010

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, Director of Planning

Public hearings were held prior to the meeting.

At 9:10 p.m., Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2009-016-POCD: PLAN OF CONSERVATION AND DEVELOPMENT Update, Town of Ridgefield**, adoption of proposed Plan. *Public hearing commenced and closed 6/29/2010. For discussion/action.*

Chairman Mucchetti referenced the memo prepared by Heidi Samokar of Planimetrics, listing the changes that had been discussed at the June 29th public hearing on the final draft of the Plan of Conservation and Development. The memo indicated places where Commission decision was needed to authorize (or not) the changes.

Mr. McChesney asked about the proposed short “index,” and where it would be located. It was noted that it would be located near the Table of Contents. **Mr. Katz** asked for the word “Conservation” to be added to the list, and there was some discussion about his suggestion. The result of the discussion was that the list would remain unchanged.

The Commission reviewed the memo page by page and, by consensus, agreed on the changes that should be adopted as part of the final Plan.

Mr. McChesney motioned, seconded by Dr. Autuori, to adopt the final draft of the *2010 Plan of Conservation and Development*, incorporating the changes agreed upon in the memo dated July 6, 2010, prepared by Heidi Samokar of Planimetrics. The

Planner suggested an effective date of August 16, 2010, which will allow time for incorporation of the changes and printing of the document.

The motion to approve the Plan, with revisions, and with effective date of August 16, 2010, passed by a vote of 9-0.

2. **#2010-054-SP:** Special Permit application under Section 9.2 required by Sections 7.5 (Excavation, Filling and Grading), 7.9 (Driveways) and 3.3.A.2 (Parking) of the Ridgefield Zoning Regulations to permit excavation, driveway grading and garage bays in excess of allowable amount in conjunction with construction of detached three-car garage on property located at **112 Old Branchville Road** in the RAA zone. Owner: Diana Boehringer, Trustee. Appls.: Eugene & Diana Boehringer. Auth. Agent: Jonathan Kost. *Received 6/8/2010. Walked 6/27/2010. Public hearing commenced 7/13/2010 and was immediately continued at the request of the applicant. The presentation of the application at public hearing will be held on 9/7/10.*

Chairman Mucchetti noted that the public hearing had been opened and immediately continued to 9/7/10, and there was no discussion.

3. **#2010-055-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e required by Section 7.2.E.11 of the Ridgefield Zoning Regulations to permit “welcome” and “thank you” signs on property located at **125 Danbury Road, Cops Hill Shopping Center** in the B-1 zone. Owners/Appls.: Equity One Realty & Management NE, Inc. Auth. Agent: Laura Schmitt, Property Manager. *65-day action period ends 8/19/2010. Received 6/15/2010. PZC to walk site individually. Tabled 6/22/2010 pending receipt of AAC minutes. Tabled 7/6/2010. Motion to deny remains on table. For discussion/action (tentative)*

Chairman Mucchetti noted that there was no communication from the applicant and the item should be tabled for one more week, at which time the Commission may take action on the proposal as it is presented. There was no discussion or action on this item, and it was tabled to 7/20/10.

4. **#2010-056-SP:** Special Permit under Section 9.2 required by Section 3.2.C.12 of the Ridgefield Zoning Regulations to permit a bed and breakfast establishment in a single-family residence located at **304 Main Street** in the RA zone. Owner: Larry Kalkstein. Appl.: Larry Kalkstein; Corcar, LLC. Auth. Agent: Peter T. Coffin, AIA. *Received 6/15/2010. Walked 6/27/2010. Public hearing commenced 7/13/2010. 65-day action period ends 9/16/2010. For action.*

Chairman Mucchetti pointed out that the public hearing had been closed, and asked for discussion on the application.

Mr. Katz opened the discussion and stated his agreement that the use was appropriate in the proposed location, but he is troubled with the size and intensity of the proposal for eight guest bedrooms. He found the public comment interesting although

somewhat hysterical at times, but not without merit. He feels that a bed and breakfast on Main Street can be an enhancement for the downtown in many respects, because of the proximity to restaurants, shopping, churches, the Community Center and other amenities, most of which are visited by foot traffic. The concept makes sense, but this is too intense. He would support an approval of a bed and breakfast in this location, but not for more than four guest bedrooms. The Commission could vote an approval with a condition that it be scaled back to four rooms. He asked if the Planner agreed that this is the proper method for approval.

The Planner said that one of her concerns is that there are eight bedrooms in existence, and if the approval is for use of only four, how would that be enforced? Mr. Katz had no answer. The Planner states that it is unusual that the building is already constructed with eight bedrooms. Dr. Autuori references the statement in a staff report that the owner was aware that approval of all eight bedrooms for a bed and breakfast under the Special Permit process was not assured; there was a risk in finishing the eight bedrooms without prior approval of the B&B.

The Planner says that the Commission has, on many occasions, scaled back the application proposal through the imposition of conditions, and that is not the issue. The issue is the matter of enforcement of the use of only four rooms for the B&B.

Mr. Katz states that the neighbors probably wouldn't notice if the owner actually rented out 6 instead of 4 bedrooms, but the Commission has an obligation to respect the intent of its own regulations. The concept of size, nature and intensity really permeates everything the Commission has to consider in a Special Permit. The Commission needs to be true to that. A four-bedroom B&B will not be inappropriate in that location.

Mr. Mische shares the concerns of Mr. Katz about the use being intense. Eight bedrooms equal sixteen people. He supports the idea of a B&B; it would be a great asset, but eight bedrooms is too much.

Mr. Katz addressed the concept of the Community Center and the Aldrich Museum being immediately in the vicinity of the proposed use. Those are laudatory elements that benefit the entire community, and any inconvenience to the nearby residents seems to be overbalanced by the very particular benefits that each offers the community. This is in contrast to the individual benefit from income of the B&B that would be realized by the owner. Mr. Katz dismissed the fact that the B&B is sandwiched in between these two uses as a reason for the proposed intensity of the use.

Chairman Mucchetti stated that she thought the neighbor's concerns were directed more at the use itself. The adjoining neighbor was more outspoken than the other neighbors, and he seemed to be more concerned with the fact that the use would be allowed at all in the residential neighborhood. He was asked if he would be less offended with 3 or 4 instead of 8 units, and he responded, yes. But she feels that this

is a perfect location for the proposed use. The property is nearby to the Community Center, churches, the museum, and restaurants. It is part of the flow of that part of town, from Casagmo to the Fountain. She was surprised that the neighbors were so offended by it.

Mr. Chipouras said he had no problem with eight units being marketed. The neighbors have their house up for sale, and he understands how they may be concerned about its value. Mr. Chipouras says he has concern that only breakfast will be served.

Mr. Fossi says it is almost a perfect location for a bed and breakfast. People will walk downtown and support the businesses. It supports the community as a whole. The POCD supports enhancing the downtown. He says that four rooms for rent is too few, but eight may be too many. But he concedes that if you allow six, then how do you enforce that?

Mr. McChesney asks if the number of units could be controlled by the number of bathrooms. The Planner said the bedrooms and bathrooms are already there.

Dr. Autuori agreed with Chairman Mucchetti that the neighbors were concerned with the use, but the fact is that the use is permitted. But he says the neighbor also “latched onto” the idea of intensity, that three bedrooms would be better than eight. Dr. Autuori then posed the question, what sort of bed and breakfast is beneficial to Ridgefield? The “family home” sort of bed and breakfast is what he pictures as a cozy, bucolic use. This is more like a hotel, and it is too intense for the area. He would support a down-scale to four units. Since they have already built the eight bedrooms, then perhaps a family might be encouraged to live there. This situation is more like a “manager” living there.

Mr. Mische asked how many rooms are at The Elms and the Inn at Ridgefield. Dr. Gelfman said that those places are not bed and breakfasts. He would support four units for the B&B. Mr. Mische says he believes this is more like an inn, with eight bedrooms.

Chairman Mucchetti asked the Commissioners where they thought a bed and breakfast would be appropriate. All agreed that this was the proper location, but there were many who thought it was too intense. Mr. McChesney said he doubted that it would be filled 7 days a week, but would be more likely to be used on weekends. Mr. Fossi agreed, and thought it would be full only a small percentage of the time.

Mr. Chipouras asked if this would be a B&B forever, if it were approved by the Commission. The Planner noted that the Commission needed to be very specific with conditions for approval, and the use could transfer to a new owner if operated under the same specific conditions.

Mr. Katz feels that an eight-bedroom B&B is not appropriate anywhere. He feels that the Commission should not concern itself with the fact that there are eight bedrooms in existence, in addition to the master suite. The application needs to be treated as if the building were brand new, as if it were not there already. The fact that it is there already is the owner's problem, not the Commission's. This can be controlled under the Special Permit, and the Commission should not send the message that eight bedrooms for a B&B is appropriate in the residential neighborhood. He is comfortable with four bedrooms, and would support that.

Mr. Walsh says the application may be flawed for the reason that he put forward at the public hearing, in that the owner is an LLC. He thinks there is some consensus that the use is too intense. He feels that there is no way to enforce anything less than eight. It is unrealistic to think that they would use less of the rooms than are already there. It is not practical from an enforcement perspective. The interior layout of the house does not support using less than eight. He agrees that the consensus at the table seems to be that eight units is too intense, so therefore the application should be denied. He doesn't think that you can just say that the number is four.

Mr. Katz says the limitation of rooms is the owner's problem, but he agrees that it is hard to enforce. Dr. Gelfman says that intensity under the Special Permit is one of the most important criteria. He feels that denial of the application is most appropriate at this point. Mr. Katz says that he would support denial if there is support for anything above four guest rooms.

Mr. McChesney asked the Planner if she had any idea of a way to enforce the use of four rooms. The Planner suggested the use of an affidavit on an annual basis, similar to what is required for accessory apartments. The owners state that they are the owners and residents of the property, and in this case, there could be a statement swearing to the fact that only four bedrooms are being used. The affidavit is notarized and filed with the Zoning Enforcement Officer, and it can be used to support the enforcement process. The neighbors would be the ones who would probably notify the ZEO of a perceived violation. They would perhaps see too many cars and too much activity. The ZEO has the authority to ask for receipts and other proof that the Special Permit conditions are being met. It is time intensive, but it is possible.

There was discussion about what was there before the building permit was issued. It was determined that three bathrooms were added in the renovations, but it appears that the bedrooms were there.

Chairman Mucchetti thinks that the Commission is looking past the obvious. The neighbors seem to have a greater concern about the use in general, and they do not seem to see that the other entities (churches, Community Center, school, museum, etc.) are the facilities that create the traffic. Traffic is what you get when you live close to the downtown. She feels that if the Commission is unwilling to support a bed and breakfast establishment at this level of intensity, then the regulations need to be

changed. This application is in the part of town where we are trying to encourage business. This is where people can come, park, stay and walk to restaurants and shops, the museums, churches, etc. We are trying to bring people and tourism into town, and this application supports that concept.

Mr. Fossi referenced Mr. Katz's earlier remark about what is an appropriate number of rooms for a B&B, and Mr. Katz supported four rooms. If that's true, then we do need to change our regulations. Our regulations do not stipulate a number. The house has eight bedrooms and eight bathrooms. There is no better location in town for a bed and breakfast. He thinks eight units is probably too many, but the regulations allow it. We should not be penalizing this applicant.

Mr. Mische disagrees. He does not feel that the regulations specifically allow any number of rooms. The Special Permit criteria allows the Commission to determine the proper intensity.

Chairman Mucchetti asks why there is support for four units only – because it's half? If the neighbors had not showed up to complain, would there be the same concern? Dr. Autuori says, yes, he would have been concerned with the intensity in any case.

Dr. Gelfman asks about the past history with B&B establishments. The Commission has not approved more than 3 bedrooms for use in the past. Chairman Mucchetti noted that the May 2007 zoning regulations revision eliminated the number of units that were specified for B&Bs. The Green Rocks B&B has three bedrooms for rent, approved in 2008.

Mr. Katz said the controlling issue is the Special Permit criteria. Mr. Fossi is correct, that no number of units is specified in the regulations, but he does not agree with eight bedrooms at the expense of the people who happen to live in the downtown area. He would support intensity of four units only. There is no rationale that the owner is going to be burdened by only using four rooms. He cited his experience at B&Bs in Vermont, where he has seen no more than four bedrooms for guests. The Special Permit criteria is over-riding here, under the concept of intensity of the proposed use.

Dr. Autuori said that the concept of intensity was explained to the neighbor, and the Commission has the power to control that.

Mr. McChesney cited The Elms and the Inn at Ridgefield, both with restaurants. He suspects that those facilities have more than four rental units. The intensity of those uses is much more intense. He says that in this case, however, he is "on the fence" with his decision. He is not aware of complaints from the Inn and the Elms.

Mr. Mische asked what would happen if the application were denied. Would the applicant come back with a modified plan? He accepts the public comment, but feels a responsibility as a Commission to observe the regulations.

Mr. Katz says that the Elms and the Inn are irrelevant in this consideration. The intensity of those uses is already here. It is the job of the Commission to judge the relative intensity of new development. The concept of intensity, size and nature of the operation is woven through the Special Permit considerations. Intensity is a very relevant concept, so that projects do not negatively impact the town. If the population of the town were smaller, the intensity would be less of a consideration.

Mr. McChesney said he thinks the Commission envisioned two or three bedrooms being used in someone's home for a B&B. This application seems more like a hotel. The intensity bothers him. He was surprised about the fact that the food would be brought into the home for the guests.

The Planner explained that the food service is entirely controlled by the Health Department. Only pre-prepared foods are permitted without a commercial kitchen being on the premises. Renovations for a commercial kitchen can be very expensive.

Mr. Katz asked about procedure. Should the application be denied without prejudice, giving the applicant the rationale behind it?

The Planner said that if the Commission denies the application outright, the applicant will be forced to go through the whole process again with a revised application. If four units are approved, the applicant can always come back at a later date to ask for four more units, based on experience of operations.

Mr. Katz motioned, seconded by Dr. Gelfman, to approve the application with a limitation of four guest bedrooms, citing the intensity of the original proposal of eight bedrooms as inappropriate at this location.

The motion to approve the B&B with four bedrooms passed by a vote of 5-4, with Chairman Mucchetti, Mr. Fossi, Mr. Walsh and Mr. Chipouras voting against.

The motion to approve the B&B with four bedrooms was a final decision.

5. **#2010-062-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e as required by Section 3.2.C.1 of the Ridgefield Zoning Regulations to construct a brick-sided concession stand at the baseball field in the Venus Municipal Complex located at **90 East Ridge Road** in the RA zone. Owner: Town of Ridgefield. Appl.: Ridgefield Babe Ruth. Auth. Agent: Stefano Zandri. *65-day action period ends 9/9/2010. Received 7/6/2010, walked 7/11/2010. (for review by AAC on 7/13/2010) For discussion/action.*

Chairman Mucchetti recognized Bob Alicea, President of the Babe Ruth League and Stefano Zandri, builder, who represented the application. The Chairman asked the Planner to read the minutes of the AAC, who supported the application and recommended approval of the plans as presented.

Mr. Zandri explained that the concession stand would be constructed as shown on the drawings.

Chairman Mucchetti asked if the fence and gate were included in the presentation. Mr. Alicea said that they would be doing the fence and gate at a later date. He explained the complimentary design of the plans when compared to the architectural elements of the existing Venus Building. He also explained the funding process, and the phasing of the work, which started with the construction of the dugouts (approved earlier by the Commission). He gave a short history of Cuciolli Field, and the evolution of the sports complex on the site. This concession stand will have bathrooms, a concession area, announcer's booth on the second floor, and it will add to the "campus" look of the site.

Chairman Mucchetti noted that the Planner had some technical information to add to the discussion. The Planner verified that the applicants talked to the Health Department, the Fire Marshal and the Building Department, and each of those agencies is aware of the plans. Details of the requirements for these agencies can be provided by the applicant in the Development Permit Application.

Dr. Autuori asked if there were any exterior lights on the concession stand. Mr. Zandri said there might be a motion-flood for safety, but all agreed that lighting must be in conformance with the zoning regulations.

Mr. Katz motioned, seconded by Mr. Chipouras, to approve the application as presented, and as approved by the AAC. [It was noted that the entrance gate and wall were not part of the approval, but would be presented at a later date.]

The motion to approve the application passed by a vote of 9-0, as a final vote.

6. **#2010-065-VDC:** Village District Application under Section 8.3 of the Ridgefield Zoning Regulations for replacement signage on property located at **368 Main Street, Wells Fargo** (formerly Wachovia Bank) in the CBD zone. Appl./Auth. Agent: Sign Lite, Inc. Owner: Wells Fargo Properties, LLC. *65-day action period ends 9/9/2010. 35 days to receive Village District report ends 8/10/2010. Received 7/6/2010, drive-by walk 7/11/2010. For discussion/action.*

Chairman Mucchetti noted that the Village District Consultant minutes had not been received, and the applicant was not present. The item was tabled.

NEW ITEMS

7. **#2010-068-VDC:** Village District Application under Section 8.3 of the Ridgefield Zoning Regulations to replace awning with signage on building located at **384 Main Street, Rodier Flowers** in the CBD zone. Owner: Joseph and Ellen Donnelly, Trust. Appl.: Rodier Flowers, Mary Jones. *35 days to receive Village District report ends 8/17/2010. For receipt and schedule walk if necessary.*

Chairman Mucchetti noted that the Village District Consultant minutes had not been received, and the applicant was not present. The item was tabled.

8. **#2010-069-SP-AH:** (1) Application for Special Permit under Sec. 9.2 pursuant to Sec. 3.2.C.6 (Adaptive Reuse of Historic or Architecturally Significant Buildings), and (2) Application under §8-30g of the Connecticut General Statutes (Affordable Housing) for six units of which 30% shall be “affordable,” for property located at **613 Main Street** in the R-20 zone. Owner/Applicant: 613 Main St., LLC. Authorized Agent: Donnelly, McNamara & Gustafson, P.C. *65-day period to schedule public hearing ends 9/17/10. For receipt / schedule public hearing for 9/14/10.*

Chairman Mucchetti asked for acknowledgement of receipt of the application and suggested 9/12/10 for a site walk and 9/14/10 for a public hearing.

Mr. Chipouras 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.

9. **#2010-070-REV(SP):** Application for Revision to the Special Permit for entrance improvements, outdoor patio, and determination of adequacy of parking for commercial building located at **38C Grove Street** in the B-2 zone. Owner: DOSO Realty, LLC, Applicant: Delta Management, Authorized Agent: Jeffrey Mose, AIA. *65-day action period ends 9/17/10. For receipt / discussion / action.*

Chairman Mucchetti recognized architect Jeff Mose who was present for the application.

Mr. Mose described the proposal, indicating that this design would modify the Commission’s prior approval of a cantilevered entrance canopy. There are structural limitations that prevent the construction of the new canopy as a cantilever design. The current application had three components: (1) two columns to be added under a canopy at the entrance, (2) an outdoor patio area [which would eliminate 3 parking spaces], and (3) request for confirmation that the parking provided on the site is adequate for the proposed use.

Mr. Mose explained the change in parking spaces, and provided calculations to justify the reduction of spaces. His position is that parking on the site is sufficient, even with the loss of the three spaces. Discussion continued with Commissioners asking questions, for clarification of the parking analysis. Mr. McChesney said that the

parking lot is frequently empty, but parking lots for the other medical buildings are often filled.

The consensus was that parking would be sufficient on the site, with the three spaces removed. Mr. Mose confirmed that the parking lot would be re-paved.

Mr. Katz motioned, seconded by Mr. Fossi, to approve the application as presented. The motion passed, 9-0. [This is a final vote.]

COMMISSION WALKS

As noted above, the Commission scheduled a site walk for the following item for

September 12, 2010:

- **#2010-069-SP-AH: 613 Main Street**, 613 Main St., LLC

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti referenced distribution of the quarterly newsletter of the CT Federation of Planning and Zoning Agencies, and urged the Commission to read several interesting stories in the publication.

MINUTES

Mr. Fossi motioned, seconded by Mr. Chipouras, to approve the minutes of June 29, 2010. The motion passed, 8-0-1, with Mr. Mische abstained.

Hearing no further discussion, the Chairman adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning