

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

July 17, 2007

Present: Joseph Fossi
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Walter Slavin
Patrick Walsh
Lillian Willis

Absent: Michael Autuori

Also Present: Betty Brosius, Inland Wetlands Agent
Linda Caponetti, Recording Secretary

Public hearings were held prior to the meeting.

At 9:35 p.m. Chairman Mucchetti called the meeting to order. The Board dealt with item #3 on the agenda and then temporarily adjourned at 10:15 p.m. to convene the Planning and Zoning Commission meeting. The Board returned to complete the agenda at 11:05 p.m.

PENDING ITEMS

1. **#2007-059-PD:** Plenary Ruling application to dredge wetlands to create a pond on property located at **110 Armand Road** in the RAA zone. Owner: Michael G. and Dorothy L. Giersch. Appl./Auth. Agent: Nazzaro, Inc. *Received 6/5/2007, walked 6/10/2007. Draft Resolution of Approval requested 6/12/2007, vacated 6/19/2007. Raised to Plenary Ruling application 6/19/2007. Public hearing commenced 7/17/2007 and continued to a date in September, to be confirmed on 7/24/07.*

Chairman Mucchetti noted that the hearing was continued, and the item was tabled. (The item will appear on the 7/24/07 agenda to confirm the continuation date.)

2. **#2007-060-PD:** Plenary Ruling application to create pond on property located at **8 Rippowam Road** in the RAAA zone. Owner: Country Club Development. Appl./Auth. Agent: Nazzaro, Inc. *65-day action period ends 8/9/2007. Received 6/5/2007, walked 6/10/2007. Raised to Plenary Ruling 6/19/2007. Public hearing commenced 7/17/2007 and continued to 9/11/07.*

Chairman Mucchetti noted that the hearing was continued, and the item was tabled.

NEW ITEMS

3. **#2007-083-WV:** Order to Cease and Desist and Show Cause for clearing, excavation and filling in wetlands on property located at **10 Kendra Court** in the RAA zone. Owners: Angela Whitford and Stanley Madaloni. *Walked 7/13/2007. 10-day action period ends 7/27/2007. For discussion/action.*

Agent Brosius reported that, in 2005, a neighbor reported to the Board that there was activity at 10 Kendra Court, which appeared to be in violation of the Inland Wetlands regulations. Trees were being cut down and the wetland was being altered. The Agent said she responded to the complaint, through correspondence and in person, with the result being that it was agreed that the wetlands were to be restored to their original condition, or as close to that as possible. Trees were to be planted. There was to be no lawn, and a mitigation plan was developed. She gave some specific details of the plan, with regard to the various plantings. She also said that, in the same year, a letter was sent to the homeowner which stated that the area should not become a lawn and should remain in the remediated state.

In 2007, the same neighbor reported that additional work was being done, (in June of 2007). Wetlands Inspector Aimee Pardee visited the site and reported that the area had become a lawn, and that the material from the remediation had been removed. The alterations taking place in 2007 were deemed significant enough to warrant the Cease and Desist order.

Agent Brosius reported meeting at the site with the homeowner and Ms. Pardee, and it was suggested that the owner hire a soil scientist to determine how the wetland was functioning, if in fact it was still functioning as a wetland.

Chairman Mucchetti reported back from the recent site walk, attended by six Board members, the Wetland Agent, the Wetlands Inspector, and a member of the Conservation Commission. What was revealed, she said, was lawn and a dramatically altered wetland with an irrigation system.

Mr. Katz asked the homeowner why they would undo the restoration that was required and proceed with the landscaping. The owner, Angela Whitford, said that they were cleaning up from some “serious flooding,” and also damage from a beaver. “We were cleaning some things out and replacing other things on that area,” she said. Mr. Katz asked her if she didn’t realize that she would be violating the instructions of the Wetland Agent. She said she did not.

The Chairman said she could not understand how that was possible. Ms. Whitford said that they were working with the landscaper, Steve Kidney, to try to restore the area. The Chairman asked Henry Moeller, the soil scientist, how many trees were taken down, stating that the Board estimates that about 20 trees were taken down.

Mr. Moeller said he did not have that information but he was told that there were trees taken down because they were in danger. He said that trees that are flooded can die. He also reported having seen the beaver hutch. He reported being out to the site on June 29th, and the area was bare so he recommended planting some grass

The Chairman asked if he recommended wetlands grass or sod. He said the area was barren, so he recommended Perennial Rye, because it germinates within four to six days and protects the soil. Topsoil had been put down over the original soil at a depth of zero to four inches above the original soil, which tapered off as it neared the pond, he said. The original soil is Adrian muck. Around the pond, the area is fairly undisturbed. He recommended a conservation mix of sedges and rushes, a common wetland planting mix of herbaceous vegetation. He added that there are phragmites in the area and it is important to keep on top of invasive species.

Ms. Willis remarked that Mr. Moeller is not a licensed landscape architect. She asked him if his primary goal was to cover up the barren soil. He said it was. She questioned his use of Perennial Rye. He said that, if nothing is done, the sedges and rushes will move in. Since this is a back yard, he wanted to prevent the woody vegetation from taking over. Ms. Willis asked if he had been aware that this is precisely what the Wetland Agent had ordered; that the area be returned to as close to its natural wetland state as possible. He said he had not been aware.

The Chairman asked why there was need for an irrigation system if the topsoil has not had a negative impact on the wetland function. Mr. Moeller said that the system had not been his recommendation.

Mr. Katz confirmed that the homeowner hadn't followed either the Wetland Agent's restoration program or Mr. Moeller's restoration program. Ms. Whitford said that nothing has been done since Mr. Moeller was out to the site because of the Cease and Desist. Mr. Moeller said that they may be talking about different areas. There is a lawn coming to the edge of the wetland

The Chairman said that that lawn comes significantly into the wetland, based on the maps the Board has.

Mr. McChesney asked when the lawn was sodded or seeded. Ms. Whitford said, "In 2005."

The Agent asked Ms. Whitford if it were true that she did not follow the mitigation plan in 2005. She pointed out the wetland border, which is shown to be not far beyond the row of hedges that curves in toward the yard. She indicated on the map how the sod has intruded into the wetland area.

Ms Whitford said she believes the hedges are further out than delineated on the map. Mr. Steve Kidney disputed what the Agent had said.

There was lengthy discussion and ongoing disagreement as to exactly where the wetland demarcation was, and whether or not the lawn intruded into the wetland, and by how much. According to the Agent, a large part of the mitigation area has been removed.

The Chairman said that the Board has two maps which confirm the Agent's position. She said that her primary concern is that a mitigation plan which could be developed now may not be followed any more than the one developed in 2005 has been.

Ms. Willis felt that a surveyor is needed. She asked if the homeowner has the same landscape architect now as in 2005. She asked if the irrigation system had been developed by the landscape architect. Mr. Kidney said that he is a landscape designer. He said that if Perennial Rye is put down, it's going to need watering. "It's in Adrian muck," Ms. Willis said.

Dr. Gelfman asked for a list of the species which were to be established by order of the mitigation plan. The Agent read the list. Dr. Gelfman asked if those were installed. Mr. Kidney said, "Yes." The Chairman asked if it was in 2005. Mr. Kidney said, "Yes."

Mr. Fossi asked when the irrigation system was installed. Mr. Kidney said, "A couple of weeks ago."

Dr. Gelfman said that the species named would not die from the flooding. "No, they didn't die," Mr. Kidney said. "We put them back." The Board members said that the trees are not there. Mr. Kidney said, "We put them off to the side." This was because they were told to Cease and Desist, he said.

There was confusion as to when the trees had actually died. It was determined that this was in 2005.

Mr. Gelfman said that the parcel had been a real wetland during the first 20 years that he lived nearby. The first developer filled the wetland, and that could have killed the trees over time, he said.

Mr. Kidney said that, basically, there was a dead stand of trees. They were removed. They put in trees and shrubs. All they had on the ground was invasive weeds. The plan was to take the trees, clear the land, put the trees back, and get something "halfway decent growing underneath there." Nothing was removed, he said. Things were dug out, and "we're ready to put them back in," he said.

The Agent reiterated the main point of the letter sent out in 2005, which stated that there should be no intrusion of the lawn into this wetland. She asked why, if they are planning to put everything back, is there lawn and sod and an irrigation system in what was supposed to be restored to a true wetland.

Mr. Kidney said, “We didn’t sod anything.” Then, the Agent surmised, the mitigation was only installed at the very back part of the property, and not in the entire wetland. The Agent concluded that there is disagreement as to where the wetland line is. She said, “If you’re telling me it’s not new lawn, then you didn’t restore it in 2005 as much as you should have.” “That could be true,” he said.

Again, there was disagreement on the exact location of the wetlands line.

Mr. Katz said that a survey is needed. The Chairman asked if the office wanted a wetlands delineation.

The Agent said that there is disagreement over where the wetland used to be. If there are soil tests done now in the lawn area, it may be discovered that there are wetland soils under the lawn. The other option is to have a surveyor mark the edge of the wetland line according to the original plans. The Board felt that the latter is what is needed.

The Chairman said that it sounded like the mitigation plan from 2005 was never implemented. The Agent said that it was implemented in part. The Chairman asked how the plan was monitored. The Agent said that there was no one in Aimee Pardee’s position at the time, and she did not go back in the spring of 2006 to see if the plan had been established.

The Chairman asked if the Board wanted a newly delineated wetlands map.

The Agent said that the site plan approval for the original subdivision and the follow-up site plan approval for this lot showed the wetland to be undisturbed and in its natural state. The Board wants the wetlands marked to the line of the original survey.

Once again, the Chairman asked for a decision from the Board as to what they needed. Dr. Gelfman said that they need a surveyor to establish the wetlands line in the field.

The Agent said that, if this comes back with a mitigation plan, it should be as an application to the Inland Wetlands Board with the proper fees, etc. filed at that time. The homeowner would be applying for approval of a mitigation plan.

The Chairman confirmed that nothing further should be done to the property.

The Agent said that they could employ the surveyor who did the original survey, but that the surveyor would have to stamp and seal a letter saying that they have flagged the wetland in the field.

Mr. McChesney asked if the Board wanted some seed put on the bare grass now.

There was discussion as to how to stabilize the area. Hay bales were suggested. Mr. Moeller said that he would still recommend planting the Perennial Rye. Dr. Gelfman said that he wouldn't do anything to the area. The Chairman said that it had been decided to put haybales along the pond edge and salt hay over the whole thing.

Mr. Walsh asked about the time frame. The Agent said that the applicant would have to come in with a mitigation plan in September. She would like to have the survey between now and September. Mr. Walsh asked what would be done if October came and the survey had not been done yet. What enforcement measures are available to them? The Agent said that she would have to consult with the attorney on that.

The Chairman summed up that a survey should be submitted to the office by Sept. 1, with a mitigation plan to follow.

Mr. Fossi clarified that the Board wants the wetland line delineated in the field.

The Show Cause Hearing ended with the Board's unanimous agreement that the property owner would retain a surveyor to stake the original wetlands boundary in the field, according to data from the original survey and subdivision map. A mitigation plan must be developed by the owner, for submission to the Inland Wetlands Board, following the location of the wetland line.

4. **AT&T work c/o PD.**

The Agent reported that she was alerted by Mr. Katz about a company called Keystone Construction who has trucks parked at the high school building now and there was some digging going on opposite the lower field on Ridgebury Road. She spoke to the foreman and advised him that they are intruding into the wetlands. He was not aware.

They are putting in a new communications cable for AT&T into the existing underground line that pops up all over town. They dig a 4' by 4' hole to thread this line through the existing pipes. The intrusion was very minor and is temporary. Work will be complete in a few days.

There was no decision or action on this item.

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 the distribution of the following:

- Letter from Agent Brosius to Robert Jewell, Esq., acknowledging receipt of the withdrawal of the application for **Hearing/Water's Edge Way**, and outlining documents and information expected for resubmission of the application.

MINUTES

Mrs. Willis motioned, seconded by Mr. Slavin, to approve the minutes of July 3, 2007. The motion passed, 8-0.

Hearing no further discussion, the Chairman adjourned the meeting at 11:20 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

July 17, 2007

Present: Joseph Fossi
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Walter Slavin
Patrick Walsh
Lillian Willis

Absent: Michael Autuori

Also Present: Betty Brosius, Director of Planning
Linda Caponetti, Recording Secretary

Public hearings were held prior to the meeting.

At 10:16 p.m., Chairman Mucchetti called the meeting to order.

PENDING ITEMS

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 and closed 3/20/2007. Draft Resolution of Approval requested 3/20/2007. Tabled 4/4/2007, 4/10/2007, 4/17/2007, 5/1/2007 and 5/8/2007. 65-day action period ends 5/24/2007. Letter granting extension received 5/14/2007. Extension acknowledged 5/15/2007, extended action period ends 7/28/2007. Tabled 5/22/2007, 6/5/200, 6/12/200, 6/19/2007, 6/26/2007, 7/3/07 and 7/10/07. For action.*

Chairman Mucchetti noted an e-mail message from the applicant, stating that progress was continuing and an easement document is expected within a day or so. The Planner confirmed receipt of a draft document that will be forwarded to the Commission on 7/18/07. Further discussion was tabled.

2. **#2007-076-SP/VDC:** (1) Application for Special Permit under Section 9.2 as required by Section 7.2.E.11, to permit the installation of two tenant signs per tenant space at **451-465 Main Street** in the CBD zone, and (2) Village District Application under

Section 8.3 required by Section 5.1 of the Ridgefield Zoning Regulations for tenant signage design at **451-465 Main Street** in the CBD zone. *35-days to receive report from VDC ends 7/31/2007. Appl./Owner: E.A.L. Associates, c/o Amy Aronson & Lisa Quattrocchi. 65-day action period ends 9/20/2007. Received 6/26/2007, walked 7/1/2007. Public hearing commenced 7/17/2007. For action.*

The application was considered in two parts: (1) Special Permit application for two signs per tenant space, and (2) review under the Village District regulations.

Amy Aronson was present as part owner of the shopping center. She described the evolution of the sign design, and architect Mac Patterson's desire to create something attractive for the village. The applicant feels that they have designed something tasteful, but will defer to the preferences of the Town and the Commission.

The Planner reported that the AAC approved the proposal for green and gold signs in February, and the Village District Consultant recommended black and white signs in June. Both reviews supported single signs per store.

Mr. McChesney said that he wanted to go along with their recommendations. Mr. Katz was in agreement. A motion was made by Mr. McChesney and seconded by Mr. Slavin to support the VDC recommendations.

Dr. Gelfman preferred the green and gold signs, and proposed a compromise, wherein the signs would be single signs on the fascia, but in green and gold, as opposed to the black and white recommended.

Mr. Walsh felt that the sign position and color may really be by "owner's preference," but he wondered why the Commission would go against the two advisory committees, especially with regard to the number of signs. He is not personally opposed to the green and gold colors.

Mr. Katz said that the maker of the motion and the second will modify the motion to accommodate the green and gold colors.

Ms. Willis stressed that the VDC is trying to establish itself. She felt that the Commission should give them credence, and support their recommendations.

Mr. Walsh felt that the Commission would have needed to have a picture of the CVS sign in order to make an informed decision.

The Planner suggested approving it to coordinate with the CVS Main Street free-standing sign, if and when it is presented.

Mr. McChesney said that this is the first time the VDC has made a decision. He felt that they are trying to establish a uniformity and a certain look for the downtown

district. He felt strongly that the Commission needs to support them, especially on their first decision. Mr. Slavin agreed.

The Planner said that there are two separate decisions to be made. The first relates to the Special Permit with regard to the two signs per store, (or not). The second part relates to colors, aesthetics, etc. She recommends taking care of the first part first.

Mr. Katz said that he will support Mr. McChesney's motion, and also make a second motion to deny the Special Permit application for two signs per store in the zigzag configuration, and honor the AAC's recommendation for one sign per store front on the fascia board.

The Chairman said that she would vote against the motion, as she prefers the zigzag idea.

Mr. Katz wanted Mr. McChesney's motion to be modified to include the green and gold color selection. Ms. Willis seconded the motion. **Mr. McChesney** repeated his desire to support the VDC.

Mr. Katz said that if the Commission goes with the suggestion now, that will be what will be used throughout the Village District.

The Planner wanted to defer the decision about the color until the VDC came back with its decision on the other (free-standing) sign. She clarified that the motion is to approve the VDC recommendation for a single sign per business establishment, installed on the fascia board, but to advised remaining silent on the color selection in favor of coordinating with the future sign "out front".

All previous motions and seconds were vacated in order to handle the two-part application as instructed by the Planner.

First, **Mr. Katz** motioned, seconded by Mrs. Willis, to deny the Special Permit application for two signs for each tenant space, based on the recommendations of the Village District consultant, and also on the Commission's own opinions relative to criteria in the zoning regulations.

The motion passed, 7-1. Chairman Mucchetti was opposed.

Second, **Mr. McChesney** motioned, seconded by Mr. Slavin, to approve the Village District application conditioned upon there being one sign per tenant space (as a result of the Special Permit decision), the signs shall be mounted on the fascia board as recommended by the VDC, and the colors of the signs shall be coordinated with the colors to be approved for the free-standing street sign referenced by the applicant (to be reviewed at a future date).

The motion passed, 6-2 with Chairman Mucchetti and Dr. Gelfman opposed.

3. **#2007-078-VDC:** Village District Application under Sec. 8.3 required by Sec. 5.1.B. of the Ridgefield Zoning Regulations to review proposed exterior alterations on building located at **441 Main Street** in the CBD zone.
Owner: Addressi Center II, LLC. Appl./Auth. Agent: DCA Architects/Planners, LLC.
Received 7/3/2007. 35-days to receive report for Village District consultants ends 8/7/2007. For action.

Mr. Katz motioned, seconded by Mr. Fossi, to approve the application conditioned upon the recommendations offered by the Village District Consultant. The motion passed, 8-0.

4. **#2007-081-REV(SP):** Revision to Special Permit under section 9.2.A.7e as required by Sec. 5.2 of the Ridgefield Zoning Regulations to install second floor windows, awnings (lean out) on the first floor and a new construction of a second means of egress through enclosed fire escape on the western side of the existing structure on the property located at **32/34 Danbury Road** within a B-1 zone. Owners: JMF Realty, LLC. Appl: Ridgefield Ski & Sport, LLC. Auth. Agent: Randolph T. Lovallo. *65-day action period ends 9/13/2007. Received 7/10/2007 and tabled pending minutes of 7/10/2007 AAC review. For discussion.*

Mr. Walsh recused himself from participation on this item.

Attorney Lovallo described the Revision to the Special Permit in three parts. The first part dealt with a fire escape to be installed from the second floor on the western side of the building. It was designed by John Doyle of DCA Architects. After review and comment by the AAC, he revised the fire escape to make the roof line pitch compatible with that of the larger building, and added two windows on the western side, as well. This plan is conditioned, however, on the bank being built on the adjacent property to the west, and reconfiguration of the driveway to move it away from the Ridgefield Ski & Sport building. The curb cuts planned for that site, which would also serve the parking area for Ridgefield Ski & Sport would be directly across Danbury Rd. from Roberts Lane. This would allow Ridgefield Ski & Sport to use that curb cut for their entry instead of the driveway which is currently being used, directly alongside the western side of the building.

Mr. Katz asked why the Commission was being asked to consider something which was conditional on another application which was not yet before them for review. The Planner said that she had just received plans that day which came in as an application to the AAC, and which would come before the Commission in the fall.

Mr. Lovallo described an awning being proposed as part two of the Revision. This is to be a three part rollup awning, with signage, (which will be exactly the same as it is now), on only one part. The third part of the Revision deals with the installation of the windows on the second floor.

Mr. Katz asked what the AAC had recommended.

Chairman Mucchetti said that the AAC recommends approval of the awning sign, and suggests the addition of a third twelve foot wide window on the front façade on the second floor. They would also like to see the stairway roofline parallel the pitch of the main building, and the addition of windows in new stairwell at each landing.

Ms. Willis asked about the uses proposed for the second floor in the previous application, as compared with the use proposed now, and wondered whether or not this would affect the parking requirement.

The Planner said that the prior application had been approved for retail on the second floor, but the fire marshal said that the second floor could not be used for this purpose unless there was a second means of egress, hence the fire escape.

Mr. Katz motioned, seconded by Mr. Fossi, to approve the application as submitted, with a condition that the fire escape addition cannot be built until the driveway is moved away from the side of the building. The motion passed, 7-0.

NEW ITEMS

5. **#2007-084-SP:** Special Permit under Section 9.2 as required by Section 7.5.D.5 of the Ridgefield Zoning Regulations to permit on site crushing of material on property located at **40 Ned's Lane** in the RAAA zone. Owner: Hunter Harrison. Appl./Auth. Agent: Don Longo, Longo & Associates, LLC. *65 days to commence public hearing ends 9/20/2007. For receipt/schedule walk and public hearing.*

It was reported that the rock crusher is on the premises, but is not in operation.

The Planner reported that the applicant came in with this application the day before the meeting. The office is concerned that the applicant waited so long to apply, since this is a Special Permit and requires a public hearing, and there are so few meeting dates left before the August hiatus. This also must be published twice in the newspaper before a public hearing can be held. The time constraints were obvious. The Planner said that the applicant was aggressive about his desire to get started with the rock crushing, saying that if the application isn't approved, he will have trucks on the road, back and forth bringing in truckloads of dirt and rocks. She wondered if there was a Town ordinance that would offer protection for the roads, requiring repairs for damage.

The Chairman commented on the office's displeasure with the applicant's having been told six weeks ago that this needed to come in, and him bringing it in now, "at the eleventh hour."

Mr. Katz motioned, seconded by Mr. Slavin, to acknowledge receipt of the application, to schedule a site walk for 9/9/07, and to schedule a public hearing for 9/11/07. The motion passed, 8-0.

6. **Chairman's Report**

Chairman Mucchetti explained the Board of Selectmen's reaction to the Planning and Zoning Commission's letter regarding enforcement of Open Space violations.

The Chairman reported that the Board of Selectmen found the letter "heavy handed," and were offended by it. She mentioned that, although First Selectman Rudy Marconi was present at the Planning and Zoning meeting when the letter was read, he claimed to have been "blindsided" by it. The Chairman explained that the Board of Selectmen has power to fund enforcement that neither the Planning and Zoning Commission or the Conservation Commission does. She encouraged Commission members to attend the Board of Selectmen's meeting on July 25th, when the issues will be discussed.

Mr. Katz said that he had gotten a call from Selectman Andy Bodner who explained that what the Board of Selectmen believe they want to do is to come down on the three worst offenders at the Turner Hill development, but they do not want to have to go after all the offenders. Mr. Katz said that, in his opinion, there must be uniform and fair enforcement. He feels that Ridgefield is either a town that enforces its regulations or it does not. You can not distinguish between an infraction of 4' or 14'. An infraction is an infraction. The Planner said that there is nothing wrong, however, with starting with the first three.

Mr. Katz said it is imperative that the Commission know exactly where the boundaries are (in Turner Hill). A surveyor has to plant survey marks, he said.

Mr. Walsh said the town can start with one offender and then send a general letter out advising the homeowners of the action taken and their intent to follow through with enforcement in each and every case. Mr. Fossi agreed.

The Chairman said that the office would try to help the selectmen understand that the letter was not intended to offend, but to be helpful. She urged the Commission members to attend the next Selectmen's meeting

There was no decision or action taken on this item.

COMMISSION WALKS

The following item was scheduled for site walk on 9/9/07, as noted above:

- **#2007-084-SP: Special Permit 40 Ned's Lane, Harrison**

REQUESTS FOR BOND RELEASES/REDUCTION

- **#2005-106-PR-SP:** request for reduction of bond, **638 Danbury Road**, “Regency at Ridgefield”-Toll Brothers (aka Laurelwood Phase III) *PD recommends \$1,488,081.00 reduction.*

Mr. Katz motioned, seconded by Mr. Fossi, to reduce the bond amount by \$1,488,081 as recommended by the Planner. (\$1,243,138 remains in place.) The motion passed, 8-0.

CORRESPONDENCE

Chairman Mucchetti noted the following correspondence for distribution:

- Letter from the Planner to the Kling's, re development at **20 Peaceable Street**
- Court decision in the matter of Halter Estates v. Planning and Zoning Commission of the Town of Bethany

MINUTES

Mrs. Willis motioned, seconded by Mr. Slavin, to approve the minutes of July 3, 2007, with a minor spelling correction. The motion passed, 8-0.

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

Respectfully submitted,

Linda Caponetti
Recording Secretary