

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

September 23, 2008

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

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

A public hearing was held prior to the meeting.

At 9:07 p.m. Chairman Mucchetti called the meeting to order.

The Chairman asked the Board to address items #1 and #2 on the agenda, and then temporarily adjourned the meeting to convene the Planning and Zoning Commission meeting. The Board reconvened at 9:27 p.m. to return to item #3 and the remainder of the agenda.

PENDING ITEMS

1. **#2008-093-REZ-SP-S-SR:** Plenary Ruling application to conduct regulated activities in the upland review area, including construction of a detention basin and drainage structures in conjunction with a 6-lot subdivision, on property located at **213 High Ridge Avenue**. Owner: Kenneth Polverari. Appl.: Sturges Brothers, Inc. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 7/15/2008. Walked 7/13/2008. Public hearing commenced 9/2/2008 and continued to 9/16/2008. 9/9/2008 public hearing continued to 9/23/2008.*

Chairman Mucchetti noted that the hearing had been continued to 10/14/09, (with extension granted by the applicant), and the item was tabled.

2. **#2008-096-SP-SR:** Summary Ruling Application under Section 7 for a wetlands crossing and activity within upland review areas in conjunction with residential lot development and a Special Permit to create an accessory dwelling unit in excess of 900 s.f. from an existing historical house on property located at **167 Silver Spring Road** in the RAA zone. Owners/Appls.: Jack McAuley and Sherry Kennedy. Auth. Agent: JFM Engineering, Inc. *Received 7/22/2008. Walked 9/7/2008. Public hearing*

commenced and closed 9/16/2008. Draft Resolution of approval requested 9/16/2008. 35- day action period ends 10/21/2008. For action.

[Note: Mr. Walsh recused himself from participation on this application.]

Mr. Katz noted his considerable concern regarding the need for professional supervision and reporting on this project. He felt the Agent's proposed resolution covered these concerns adequately. Additionally, the project did not offend any of the provisions in Sec. 10.2 of the wetlands regulations, he felt.

Mr. Katz motioned, seconded by Mr. Mische, to approve the application, according to the resolution drafted by the Agent. The motion passed, 8-0-1, with Mr. Walsh recused.

3. **#2008-101-SR:** Summary Ruling Application under Section 7.5 of the IWWR to install a pipe in a watercourse and associated wetlands disturbance on property located at **424 West Mountain Road** in the RAAA zone. Appl./Owner: Sapphire Development LLC. *Received and draft Resolution of Approval requested 9/2/2008. Motion to approve draft resolution remains on table, 9/16/2008. For action.*

[Note: Mr. Fossi recused himself from participation on this application.]

It was noted that a motion made by Mr. Katz to approve the application, seconded by Mr. Walsh, remained on the table from the previous week. Chairman Mucchetti reported that the Commission had found the map provided with the application to be unacceptable. She asked Agent Brosius to explain how this was remedied. The Agent said that Wetlands Agent Aimee Pardee felt the work was very minor and the quality of the map was a relatively minor problem, but she prepared a replacement map, (showing the permitted activity), for the application record.

The only survey for this property, Agent Brosius added, is 30+ years old. She agreed that better mapping is needed for applications, in general.

The Chairman called for a vote, and the motion passed, 9-0.

BOARD WALKS

There were no site walks to be scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

- **#2005-047-PR:** request for release of \$1,000.00 bond on property located at **11 Woodlawn Drive**, Buccino. *IWA recommends 100% release.*

Mr. Katz motioned, seconded by Mr. Fossi, to release the bond in full as recommended by the Agent. The motion passed, 9-0.

CORRESPONDENCE

Chairman Mucchetti noted the following correspondence:

- Final adopted site walk schedule for 2009.

MINUTES

Mrs. Willis motioned, seconded by Mr. Fossi, to approve the minutes of September 9, 2008. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

September 23, 2008

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

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

A public hearing was held prior to the meeting.

At 9:10 p.m., Chairman Mucchetti called the meeting to order. The Chairman asked the Commission to address #2 and a new item #9 to be added by the Planner, before completing the remainder of the agenda.

PENDING ITEMS

1. **#2008-093-REZ-SP-S-SR:** (1) Petition to Rezone a portion of 2.346 acres of land from R-A to R-10 and R-7.5; (2) application for a 6-lot subdivision of land in conjunction with a rezone from R-A to R-10 and R-7.5 and (3) application for Special Permit for construction of an accessway to serve 3 lots within a 6-lot subdivision on property located at **213 High Ridge Avenue**. Owner: Kenneth Polverari. Appl.: Sturges Brothers, Inc. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 7/15/2008. Walked 7/13/2008. Public hearing commenced 9/2/2008 and continued to 9/16/2008. 9/9/2008 public hearing continued to 9/23/2008.*

Chairman Mucchetti pointed out that the public hearing had been continued to 10/14/09, with extension granted by the applicant, and the item was tabled.

2. **#2008-096-SP-SR:** Special Permit application under Section 9.2 required by Section 3.3.D.1. to create an accessory dwelling from an existing historic residence having a floor area greater than 900 s.f., in conjunction with new home development on property located at **167 Silver Spring Road** in the RAA zone. Owners/Appls.: Jack McAuley and Sherry Kennedy. Auth. Agent: JFM Engineering, Inc. *Received 7/22/2008. Walked 9/7/2008. Public hearing commenced and closed 9/16/2008. Draft Resolution of Approval requested 9/16/2008. 65-day action period ends 11/20/2008. For action.*

[Note: Mr. Walsh recused himself from participation on this application.]

Chairman Mucchetti asked if the Commission felt there should be more mention made in the resolution of the historical significance of the building. It was “the extraordinary significance of the building,” she said, which helped the Commission to grant approval for the square footage excess of the accessory structure, she said. Mr. Katz agreed, and asked that the application be tied to the Plan of Conservation and Development, which encourages the protection of such buildings. The Chairman noted that the POCD is mentioned in the reasons section of the resolution. Planner Brosius said that she could highlight this section with bullets. The Chairman wanted as much focus as possible on the special nature of the building.

Mr. Mische suggested mentioning that the non-historic elements will be removed. This was covered in 1(a) of the proposed resolution, the Planner said, adding that she could repeat this information in the reasons section.

Mr. Katz motioned, seconded by Mr. Mische, to approve the application, according to the draft resolution prepared by the Planner.

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

NEW ITEMS

3. **#2008-111-REV(SPA):** Referral from the Planner to the Commission pursuant to Sec. 9.1.C.2 of the zoning regulations, request for revision to a Site Plan Approval for re-location of driveway outside of designated accessway, **25 Flat Rock Drive**. Appl./Owner: Edward Linekin. Auth. Agent: William Oberg. 65-day action period ends 11/27/2008. *For discussion/action.*

Chairman Mucchetti noted the Planner’s referral of the request for Site Plan Revision and her memo explaining the reason for the additional driveway on Flat Rock Drive. She said the neighbors would prefer to have two independent driveways, rather than the shared access way. There was a short discussion. The Planner said that the awkward access way allowed the subdivision applicant to avoid having to apply for a Zoning Board of Appeals variance, because one of the lots didn’t have frontage. However, she urged the Commission to review the regulations with an eye toward removing the need to create such a “quirky little access way,” when a variance allowing two driveways was far preferable. The access way would need to remain on paper, however, she said.

Mr. Katz motioned, seconded by Dr. Autuori, to authorize the additional curb cut, as requested by the applicant, according to the sketch provided by the Planner. The motion passed, 9-0.

4. Request to re-schedule 10/5/2008 walk: **#2008-112-SP: Special Permit 233 Great Hill Road, Dighton**

Chairman Mucchetti referenced a letter received from the applicant, requesting a change in the date for the site walk. By consensus, the Commission agreed to change the date to 10/19/09, which is two days prior to the public hearing scheduled for 10/21/08.

5. **#2008-113-REF:** Referral from the Planning Commission of the City of Danbury, application for Special Exception for adding traffic to roadway that carries in excess of 500 vehicle trips per day, for $\pm 70,000$ s.f. new commercial construction at **100 Saw Mill Road** for Bidel, Inc. (a portion of the property with no development lies in the RAA zone within Ridgefield borders). Owner: Mulvaney Properties, LLC. Engineer: Artel Engineering. *For discussion.*

Chairman Mucchetti referred to the Planner's memo outlining the application and the reason for the referral. Mr. Katz, who had reviewed the documentation submitted by the engineer for the applicant, explained the modest increase in traffic proposed for Saw Mill Road (northern Ridgebury Road in Ridgefield), and the minor effect it would have on traffic in Ridgefield. John cited an increase to about 84 to 87 trips a day for the proposed development. The Planner pointed out that only about $\frac{1}{4}$ of the proposed increase was expected to travel to and from Ridgefield.

The Planner said she referred the application to Peter Hill of the Highway Department, who was concerned that it may need a second driveway. But, on reviewing the modest increase in traffic to and from Ridgefield, he agreed there was no problem.

Mr. Katz said the Mulvaney property uses Ridgefield standards for exterior lighting (14 foot poles and shielded fixtures), even though the property is mostly in Danbury, where lighting standards are not as stringent.

Mr. Katz recommended a letter to Danbury, stating that no negative impact from the proposed development was expected in Ridgefield. The Commission agreed by consensus. The Planner pointed out that Danbury would be reviewing the application (especially traffic impacts) on 10/1/08 in the Common Council Chambers at Danbury City Hall.

6. **#2008-114-REV(SP):** Revision to Special Permit under Section 9.2.A.7.e. required by Section 3.2.B.3 of the zoning regulations to construct a pavilion on the Boys & Girls Club property located at **41 Governor Street** in the RA zone. Appl.: Geoff Stewart. Owner: Boys & Girls Club of Ridgefield, Inc. Auth. Agent: Terry Hughes. *65-day action period ends 11/27/2008. For receipt, schedule walk if necessary, discussion/action.*

Chairman Mucchetti explained the application according to the materials submitted by Eagle Scout, Geoff Stewart, and asked about scheduling a site walk or individual drive-by inspection. She noted that the Planner and she felt a Commission site walk was unnecessary. She described the proposed location of the pavilion, with the aid of a map. The fireplace indicated on the schematic is not going to be built, she said. Planner Brosius believed the plans were the same as those used for the Sturges Park pavilion, also an Eagle Scout project.

Mr. Fossi offered some information about the proposed location of the structure, and, by consensus, the Commission agreed that the materials were self-explanatory and a walk was not necessary.

Mr. Katz motioned, seconded by Mr. Chipouras, to approve the application, as submitted, noting that the fireplace was not included in the proposed construction. The motion passed, 9-0.

7. **#2008-115-VDC:** Village District Application under Section 8.3 to install two hanging signs, two wall signs and two awnings on building located at **447 Main Street** (Rodier Flowers) in the CBD zone. *35 days to receive VDC report ends 10/28/2008. Receive and refer to VDC.*

Dr. Autuori motioned, seconded by Mr. Fossi, to acknowledge receipt of the application and to refer it to the VDC. The motion passed, 9-0.

8. **#2008-116-VDC:** Village District Application under Section 8.3 for signage and exterior improvements to existing building located at **23½ Catoonah Street (SAGI Cucina Italian** – formerly Costa Azul) in the CBD zone. Owner: 23 Catoonah St. Associates, LLC. Appl.: SAGI's, Inc. Auth. Agent: Bianca DeMasi Occhino. *35 days to receive VDC report ends 10/28/2008. Receive and refer to VDC.*

The Chairman noted the applicant's plans to remove the outside staircase and build a patio.

Dr. Autuori motioned, seconded by Mr. Chipouras, to acknowledge receipt of the application and to refer it to the VDC. The motion passed, 9-0.

9. **New item added by the Planner:**

Chairman Mucchetti asked for a motion to add a new item, c/o the Planner, concerning property at 246 West Lane. Dr. Autuori motioned, seconded by Mr. Fossi, to add the item, as requested. The motion passed, 9-0.

Planner Brosius explained that the Mantz family, owners of **246 West Lane**, were requesting a change in the architectural plans for a 3-car garage to be located in front of the house. The Commission approved a Special Permit for the garage location a

few months ago. The applicant's representative, Mr. Pat O'Rourke, was present to explain the changes that had been approved by the AAC earlier in the evening.

Mr. O'Rourke stated that approval for the garage to be built in the front of the house had been granted earlier by the Commission. The only revision to the original plan was that the garage, approved as "a pole barn," will now more closely match the style of the house, while retaining the same footprint, size, and height. He said the roof shingles will be all wood shake, and awning windows will face the road. He showed the Commission the new design, which they were pleased with. The only recommendation the AAC had made was for the removal of a louver vent, and a small change in the gable.

Mr. Katz motioned, seconded by Mr. Mische, to approve the architectural changes, as presented, including the elimination of the louver (vent) in the gable on the east elevation. The motion passed, 9-0.

COMMISSION WALKS

The Commission re-scheduled the site walk for the following item to 10/19/08:

- **#2008-112-SP: Special Permit 233 Great Hill Road, Dighton**

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Chairman Mucchetti pointed out the following correspondence:

- Final adopted site walk schedule for 2009.
- Memo from the Fire Marshal re the Special Permit application for Third Lane.

MINUTES

Mrs. Willis motioned, seconded by Mr. Fossi, to approve the minutes of September 9, 2008. The motion passed, 9-0.

Hearing no further discussion, the Chairman adjourned the meeting at 9:26 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary