

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

October 20, 2009

Present: Joseph Fossi
Nelson Gelfman
John Katz
James McChesney
Patrick Walsh, Vice Chairman

Absent: Michael Autuori
Peter Chipouras
Phil Mische
Rebecca Mucchetti, Chairman

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

Public hearings were held prior to the meeting.

At 10:24 p.m. Vice Chairman Walsh called the meeting to order. The items were reviewed with Item #5 following immediately after Item #1, and the remainder of the items in order.

PENDING ITEMS

1. **#2009-047-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 6/16/2009. Walked 6/28/2009 and 9/27/2009. Public hearing commenced 7/21/2009. Extension granted thru 10/13/2009. Continued public hearing 9/1/2009, 9/8/2009, 9/22/2009, 10/13/2009 and 10/20/2009. Extension granted thru 10/20/2009 (56 of 65 days of extension used thru 10/20/2009). 35-day action period ends 11/24/2009. For action.*

Vice Chairman Walsh noted that the public hearing had been closed. The consensus of the Commission was to table the item for discussion at a later date, due to the lateness of the hour.

2. **#2009-062-PR:** Plenary Ruling Application required by Section 7.6 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield for regulated activities within the upland review area in conjunction with site development for a

single family residence and septic system on property located at **Water's Edge Way** in the RA zone. Owner/Appl.: Hearing and Hearing, Inc. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 7/21/2009. Walked 9/13/2009. Public hearing commenced 9/15/2009 and continued to 10/20/2009. Walked 10/18/2009.*

Vice Chairman Walsh noted that the public hearing had been continued to 11/10/09, and there was no discussion.

3. **#2009-084-SR:** Summary Ruling application under Section 7.5 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield for drainage and discharge into wetlands on property located at **161 Spectacle Lane** in the RAA zone. Owner/Appl.: Tom Sturges. *Walked 9/27/2009. 10/6/2009 Agent authorized to retain soils scientist (fees paid by applicant) to re-flag wetlands boundary. Walked 10/18/2009. 65-day action period ends 11/26/2009. For discussion/action.*

Vice Chairman Walsh introduced the item and asked the Agent to give an update for the application.

Agent Brosius reported that the applicant had paid the fee to have the wetlands re-flagged. [Flags placed by the soil scientist on 10/8/09 had been removed by the applicant prior to the site walk on 10/18/09.] She said the map needs to be corrected. The soil scientist will re-flag the wetlands and remove the flags that are no longer valid on the property, and the surveyor will re-issue the map reflecting the correct wetland line. The re-flagging was scheduled for 10/21/09. The item may be discussed at the regular meeting on 11/4/09.

There was no further discussion.

4. **#2009-085-SR:** Summary Ruling application under Section 7.5 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield for repairs and rehabilitation of the sanitary sewer system at various locations throughout **Sewer District 1** in the Town of Ridgefield. Owner/Appl.: Town of Ridgefield, CT Water Pollution Control Authority. Auth. Agent: Max D. Caldwell, Chairman, W.P.C.A. *65-day action period ends 12/2/2009. Received 9/29/2009. Walked 10/18/2009. For discussion/action.*

Agent Brosius said the Board looked at the area proposed for the new pipe on a site visit. The location did not appear to present any wetlands issues. She noted that Wetlands Agent/Inspector Aimee Pardee recommended that the engineer's report describing the method of construction be followed precisely, specifically with regard to the placement of mats over sensitive wetland areas where equipment may be brought in during the construction process. Agent Brosius said her draft approval will include a condition for the above mats, as well as a condition for erosion control for areas near the wetlands, as per the engineer's report.

Mr. Katz motioned, seconded by Mr. Fossi, to approve the application as presented.

The motion passed, 5-0.

5. **#2009-090-REV(IW):** Revision to Plenary Ruling Application under Section 11.9 of the Inland Wetlands and Watercourses Regulations for the Town of Ridgefield for modification of approved plans on property located on **Lot 39, Wilton Road East** in the RA zone. Owner: Colonial Road Associates, LLC. Appl./Auth. Agent: Environmental Design Associates PC/Richard Kent. *65-day action period ends 12/17/2009. Walked 10/18/2009. For discussion/action.*

Vice Chairman Walsh recognized Richard Kent of Environmental Design Associates, P.C., who was present to request the modification to the plans.

Mr. Kent said the current approval calls for the gabions to be set alongside the entrance drive, all the way from Wilton Road East up to the garage. There have been many more large boulders and rock outcroppings than expected, Mr. Kent said, so they are requesting permission to substitute a stacked rock retaining wall outside of the wetland areas. He presented a color coded map differentiating the areas where stacked stone would be used as opposed to gabions.

Agent Brosius clarified that the applicant wished to substitute the stacked stone wall in an area specified for gabions, off the driveway entrance on each side of the first culvert, (shown on the plans). This area involves a very small piece of wetland, which was seen by the Commission on the site walk. There was a brief discussion.

Vice Chairman Walsh asked if there were any further comments. There was none. He noted that none of the elements of Sec. 10.2 would be violated by the “minor change to the plans.”

The Agent noted that the revision did not materially change the original approval and that the protection remains the same.

Mr. Katz motioned, seconded by Mr. McChesney, to approve the request.

The motion passed, 5-0.

BOARD WALKS

There were no site walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Vice Chairman Walsh noted correspondence distributed to the Commission, including:

- Brochure from CACIWC (CT Association of Conservation and Inland Wetlands Commissioners), re the Annual Meeting in Wallingford on November 14, 2009

MINUTES

Mr. Fossi motioned, seconded by Mr. McChesney, to approve the minutes of October 6, 2009. The motion passed, 5-0.

Hearing no further discussion, the Chairman adjourned the meeting at 10:31 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

October 20, 2009

Present: Joseph Fossi
Nelson Gelfman
John Katz
James McChesney
Patrick Walsh, Vice Chairman

Absent: Michael Autuori
Peter Chipouras
Phil Mische
Rebecca Mucchetti, Chairman

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

Public hearings were held prior to the meeting.

At 10:32 p.m., Vice Chairman Walsh called the meeting to order.

PENDING ITEMS

1. **#2009-051-SP:** Special Permit under Section 9.2 as required by Section 7.8 of the Ridgefield zoning Regulations to provide pole lighting for tennis courts in the recreation area on property located at **126 Eleven Levels Road** in the RAA zone. Owner: West Mountain Estates Homeowner Association. Appl.: Scott Baughman. *Received 6/23/2009. Public hearing commenced 7/21/2009. 35 days to close public hearing ends 8/25/2009. Continued public hearing 9/8/2009 and extension granted to continue public hearing 9/22/2009. 9/22/2009 request acknowledged for continuation to 10/20/2009. (56 of 65 days extension used thru 10/20/2009). Application withdrawn 10/15/2009.*

Vice Chairman Walsh noted that the application had been withdrawn, and there was no discussion.

2. **#2009-070-A:** Proposed amendment to the Zoning Regulations, **Sections 5.3.C, 5.4.C and 5.5.D**, Permitting limited, ancillary sale of goods in non-retail zones. *Commission Initiated. Public hearing commenced 10/20/09.*

Vice Chairman Walsh noted that the public hearing had been continued to 11/10/09, and there was no discussion.

3. **#2009-076-A:** Proposed Amendment to Sections **3.2.C.6 and 2.2** of the Ridgefield Zoning Regulations for the expansion of the adaptive reuse regulations and new definition of “streetscape”. Appl.: Donnelly, McNamara and Gustafson, P.C. *Received 9/15/2009. Public hearing commenced 10/20/09.*

Vice Chairman Walsh noted that the public hearing had been continued to 11/10/09, and there was no discussion.

NEW ITEMS

4. **#2009-092-REV:** Revision to Special Permit under Section 9.2.A.7.e. of the Ridgefield Zoning Regulations to permit patio enclosure (to include signage) for winter months on existing restaurant “Little Pub” located at **59 Ethan Allen Highway** in the B-1 zone. Owner: Club Ched, LLC. Appl./Auth. Agent: Kevin McHugh, Little Pub LLC. *65-day action period ends 12/24/2009. For receipt and schedule walk (if necessary).*

Vice Chairman Walsh introduced the application, and referred to the minutes of the Architectural Advisory Committee from 10/13/09.

Planner Brosius reported that the applicant was willing to modify the plans according to the suggestions of the AAC.

Mr. Katz motioned, seconded by Mr. Fossi, to approve the application according to the plans, with modifications as recommended by the AAC. The motion passed, 5-0.

5. **#2009-093-VDC:** Village District application under Section 8.3 required by Section 5.1 of the Ridgefield Zoning Regulations to permit building signage on restaurant (TerraSole Ristorante) located at **3 Big Shop Lane** in the CBD zone. Owner: Big Shop Lane, LLC. Appl./Auth. Agent: Polini Group, LLC. *35 days to receive VDC report ends 11/24/2009. For receipt/discussion/action.*

Vice Chairman Walsh noted that the applicant had left the meeting a few minutes earlier, probably due to the late hour. He showed photos to explain the application, and the Planner contributed remarks, pointing out that the applicant agreed with the VDC comments about the location of the sign, (below the two gooseneck lamps), but she did not agree with the VDC’s suggestion for a border around the sign or their suggested changes to the lettering. They had objected to the graphic of the letter “S,” saying that it appeared to be a letter “G.” They also requested the removal of the word “cheese” from the sign.

Mr. Katz supported the applicant’s right to have the sign she applied for, saying it was certainly not offensive.

The Commission chose to move forward with the application without further input from the applicant, since she did not return to the meeting.

Mr. Katz motioned, seconded by Mr. Fossi, to approve the sign as requested by the applicant, including conditions clarifying the placement of the sign. Mr. Walsh noted that the approval would include the VDC's condition #1 and #5, which specify that the sign should be centered and not appear to rest on the window frame. The motion passed, 5-0.

6. **#2009-034-REV(SP)**: Revision to Special Permit under Section 9.2.A.7.e of the Ridgefield Zoning Regulations for new entry door, lobby and exterior entry canopy on building located at **38C Grove Street** in the B-2 zone. Owner: DOSO Realty, LLC. Appl.: Delta Management. Auth. Agent: Jeffrey D. Mose, AIA. *65-day action period ends 12/24/2009. For receipt and schedule walk.*

Vice Chiarman Walsh introduced the item.

Planner Brosius pointed out that the changes were minor, but that the AAC had not reviewed the plans. She suggested approving the application as submitted.

Vice Chairman Walsh suggested a draft resolution of approval.

Mr. Katz motioned, seconded by Mr. Fossi, to request the Planner to draft a resolution of approval that would be subject to the review of the AAC. The draft may be reviewed following the work session of the Commission on 10/27/09.

COMMISSION WALKS

There were no site walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

Vice Chairman Walsh pointed out correspondence that had been previously distributed to the Commission, including:

- eMail and attached article about AMEC Carting, sent by the owner of **72 Revere Drive**
- Memo from the Planning Director with attachment from *Land Use Law and Practice*, dealing with procedures for review of Special Permit applications
- Chapters 11, 12 and 13 of the draft update of the POCD

MINUTES

Mr. Fossi motioned, seconded by Mr. McChesney, to approve the minutes of October 6, 2009. The motion passed, 5-0.

Hearing no further discussion, the Chairman adjourned the meeting at 10:36 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary