

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD

November 1, 2005

Present: Michael Autuori
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Patrick Walsh
Lillian Willis
James Coyle

Absent: Walter Slavin

Also Present: Betty Brosius, Inland Wetlands Agent

Public hearings were held prior to the meeting.

At 10:32 p.m., Chairman Mucchetti called the Inland Wetlands Board meeting to order.

PENDING ITEMS

1. **#2005-140-REZ-S-SR:** Summary Ruling application for biofiltration, drainage and channel improvements in conjunction with (1) application for a Rezone of 4.39 ± acres of land and (2) application for a 7-lot subdivision located on the south side of **Bryon Avenue**, west of High Ridge Avenue. Owner:/Appl.: Country Club Development, LLC. Auth. Agent: Donnelly, McNamara & Gustafson, P.C. *Received 10/5/05, walked 10/16/05, public hearing commenced 11/1/05. 35-day action period ends 12/5/05.*

The public hearing opened on 11/1/05 and has been continued to 12/6/05. This item was tabled because the hearing has not yet been completed. The Board will re-walk the site on 11/6/05.

2. **#2005-143-SP-SR:** Summary Ruling application to install piping in existing culvert in conjunction with Special Permit Application to construct Derby field for horse training. Property located at **11 Old Stagecoach Road** on 87.3 acres of land in the RAAA zone. Owner: Hunter Harrison. Appl./Auth. Agent: Don Longo. *Received 10/11/05, walked 10/16/05. 65-day action period ends 12/14/05. For action.*

Commissioner McChesney motioned, seconded by Dr. Autuori, to approve the Summary Ruling Application as submitted. The potential wetlands impacts had been observed on the site walk, and the applicant had described the activity during the public hearing discussion on the special permit. Erosion control measures are

proposed to protect the wetlands during construction, and the pipe has been sized by the engineer.

Mr. Katz recommended standard conditions for erosion control, and the Agent pointed out the applicant's offer to install heavy-duty, steel-backed silt fencing. The project should be done during dry weather, when the swale is not carrying water. Mrs. Willis emphasized the need to require erosion control to protect the wetlands during construction.

The Chairman called for a vote, and the motion passed, 7-0-1, with seven votes in favor and Mrs. Willis abstained. The resolution with standard conditions will be prepared by the Agent as a final resolution, with no draft required for further Board review.

NEW ITEMS

3. **#2005-146-SP-SR:** Summary Ruling application for filling, grading, excavation and mitigation of wetlands to create a horse riding ring and grazing areas, in conjunction with Special Permit application on property located at **85 Spring Valley Road** in the RAA zone. Owner/App.: Kenneth Sturm. Auth. Agent: John F. McCoy VII, P.E. 65-day action period or 65-days to commence public hearing ends 1/4/06. For receipt, schedule walk and public hearing.

The Agent pointed out that this application is submitted in response to a Cease and Desist from the Zoning Enforcement Official, for filling and excavation work without permits. The fill encroaches into the wetlands and a public hearing is recommended because of the violation.

Mr. McChesney motioned to receive the application, seconded by Mr. Katz. At the suggestion of the Chairman the motion included scheduling a walk for 11/6/05 and a public hearing for 12/13/05. The motion passed by a vote of 8-0.

4. **Lake Windwing Ball Field Irrigation plan.** For discussion and determine if permit is required. c/o IWA.

The Chairman explained that the request in letter by Stefano Zandri, representing youth sports organizations who use the ballfields, is to use water from Lake WindWing for irrigation of two ballfields, for a total of 2,000 gallons per day from June through October. The Agent seeks a determination from the Board as to whether a wetlands application is warranted for the activity.

Mr. Katz asked if the CTDEP had commented on the proposal. They have not. There were questions about whether the lake is spring-fed, and how low the water was during the dry season in July and August. Would the lowering of the lake affect groundwater in the surrounding area? What is the aggregate depth of the drawdown? Who owns the lake?

It was the consensus of the Board that, because of these questions, additional information is required and a summary ruling application is warranted. The Agent

will inform the necessary parties to submit an application and to provide additional details about the proposal.

5. **#2005-147-IWA**: Request by IWA to determine minor significance and permission to grant administrative approval for maintenance, streambank improvements and erosion control relative to two ponds and dams on property located at **321 Florida Hill Road**. Appl.: Ann Schmitt, L.A., The Laurelrock Co.. Owner: Brian Truskowski.

The Agent explained that the detailed description of work, although extensive, is primarily restorative in nature. The applicant seeks to repair damage done by hurricanes, and only a small amount of sediment is to be removed from behind the dam. A landscape architect has prepared the detailed plans.

Mr. Katz motioned, seconded by Mr. McChesney, to allow the matter to be handled as an administrative permit. The motion passed 8-0.

BOARD WALKS

At this meeting, the Board confirmed a second walk for **66 Grove Street** on November 6, 2005, and added **85 Spring Valley Road** and **Bryon Avenue** to the schedule for the same date.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

There was no correspondence for discussion.

MINUTES

For Approval: October 11, 2005

Mr. Walsh motioned, seconded by Mr. Coyle, to approve the minutes of October 11, 2005. The motion to approve the minutes passed by a vote of 8-0.

Hearing no further discussion, the Chairman adjourned the meeting at 10:45 p.m.

Respectfully submitted,

Betty Brosius
Inland Wetlands Agent

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION

November 1, 2005

Present: Michael Autuori
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Patrick Walsh
Lillian Willis
James Coyle

Absent: Walter Slavin

Also Present: Betty Brosius, Director of Planning

Chairman Mucchetti convened the meeting at 10:46 p.m., immediately following the Inland Wetlands Board meeting.

PENDING ITEMS

1. **#2005-099-S:** 4-lot Subdivision application of land consisting of 37.095± acres located on **Hickory Lane** in the RAA zone. Owner: Bard Family Trust. Appl.: Mark Ferrandino. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 07/19/05. Walked 07/24/05 and 10/16/05. Extension granted. Public hearing commenced 09/13/05, continued and closed 10/18/05. Draft Resolution of Approval requested 10/18/05. 65- day action period ends 12/21/05. For action.*

(At the commencement of the meeting and discussion on this item, Mr. Katz reminded the Commission that he had recused himself from discussion and decision on the application. He requested that the item be moved to the end of the agenda. By consensus, the Commission agreed, and the item was discussed following discussion on the October 11 minutes, after Mr. Katz had left the room.)

Mr. McChesney motioned, seconded by Dr. Autuori, to approve the subdivision according to the draft resolution prepared by the Planner. The motion passed 7-0-1, with Mr. Katz recused.

RESOLVED TO APPROVE, 4-lot subdivision of land on a parcel totaling 37.095 acres, with 28.765 acres within the boundaries of Ridgefield, and 8.33 acres of other land in the Town of Redding, located north of Hickory Lane and east of Florida Road in the RAA zone, as shown on map entitled, "Subdivision Map prepared for Bard Family Trust," last revised 10/12/05, prepared by Riley Land Surveyors, LLP, Scott T. Chamberlain, L.S. (CT Lic #70051), with the following stipulations and conditions:

1. Except as modified by this approval, the subdivision of land and improvements thereon shall be in conformance with the map referenced above and with supplemental drawings dated 6/14/05, prepared by Frank G. Fowler III, P.E., L.S., as follows:
 - a. Site Development Plan, Sheet 2 of 7 and Sheet 3 of 7;
 - b. Site Development Plan for Lot 4, Sheet 4 of 7;
 - c. Accessway Plan and Profile and Sight Distance Profiles, Sheet 5 of 7;
 - d. Construction Detail Sheet, Sheet 6 of 7;
 - e. Stormwater Management Construction Detail Sheet, Sheet 7 of 7.
2. The open space parcel consisting of 3.450 acres shall be deeded to the Town of Ridgefield under the jurisdiction of the Conservation Commission. Said deed shall be filed simultaneously with the filing of the subdivision map in the office of the Town Clerk. Said deed shall require that the open space shall remain in its natural state in perpetuity, except that the Conservation Commission may establish pedestrian trails and may maintain the property to keep it in a safe condition.
 - a. An easement shall also be filed to permit access to the open space through the driveway to Lot 4 and along the stone wall on the western boundary of Lot 4, as shown on the subdivision map.
3. As represented by the applicant engineer at the public hearing, a Conservation Easement providing pedestrian access shall be granted between the Open Space parcel, through Lot 4, and continuing to the eastern boundary of the property at the Town of Ridgefield boundary with Redding, as shown by red line on Sheet 2 of 7 at the hearing. The easement shall be approximately 120 feet wide, located at the northernmost portion of Lot 4.
 - a. The easement shall be shown on the subdivision map prior to filing.
 - b. In combination with the deeded open space parcel and the pedestrian easement along the driveway and western boundary of Lot 4, this easement shall permit pedestrian access in accordance with the plan for the Sugar Hollow Greenway, cited on page 33 of the 1999 Ridgefield Plan of Conservation and Development.
4. Permanent Boundary, Conservation Easement, and Open Space Markers shall be installed at the expense of the applicant, developer, successor or assigns. Prior to the filing of the subdivision map, the surveyor shall certify that perimeter and lot markers have been installed according to Sec. 4-39 of the Subdivision Regulations, and the map shall show all markers. The final Class A-2 survey submitted for zoning compliance for any lot within the subdivision shall show the location of all markers. Prior to the filing of the subdivision map, the applicant, developer, successor or assigns shall meet with the Conservation Commission or its agent to determine the type and number of markers for the open space and the conservation easement. The cost for installation of any markers not in place at the time of the filing of the map shall be bonded to ensure installation at a later date.
5. Prior to the issuance of any zoning permit for construction on Lot 4, an application for Site Plan Approval under Sec. 324.0 of the zoning regulations shall be submitted to the Director of Planning for review of the lot development plan.
 - a. Significant trees shall be shown on the plan in all areas to be disturbed, including the residence, septic system, driveway, accessory structures, and all underground piping.

- b. Trees to be saved and trees to be removed shall be identified on the plan.
 - c. The travelway to Lot 4 shall be located in the northernmost portion of the access strip, and the plan shall include a landscape screen of spruce trees on the southern border, south of the travelway, between the travelway and the parcel shown on the subdivision plan as "Lands of Harvey M. & Jane R. Wooding."
 - d. The Director of Planning may refer the Site Plan Application to the Planning and Zoning Commission to assure compliance with the intent in the conditions of this subdivision approval.
6. The triple-trunk cherry tree located on the stone wall in the northern half of Lot 2 shall be preserved and protected. All significant trees that have been marked for protection shall be protected from disturbance during the construction process in accordance with standards set forth in Sec. 326.0C of the zoning regulations. Where applicable, cribbing and/or orange construction fencing shall be installed no closer than the drip line of the tree, to prevent intrusion and damage caused by construction vehicles. The fence shall remain in place until construction is complete and the site is fully stabilized.
7. Prior to the issuance of any zoning permit or the commencement of any activity on the property, all erosion and sedimentation control structures shall be installed in accordance with approved plans and specifications and under the terms and conditions of this permit, with strict adherence to the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*, DEP Bulletin 34. All Erosion and sedimentation control measures shall remain in place until all work is complete and the site is fully stabilized. Planning and Zoning staff shall retain the right to require additional erosion control measures throughout the construction process.
8. The applicant is responsible for obtaining a Stormwater General Permit from the CTDEP for discharge of stormwater and dewatering of wastewaters if total disturbance of the site (clearing, grading, and excavating for construction) exceeds 5 or more acres of total land area. The state recommends that permits be applied for at least 30 days prior to the commencement of construction. A copy of the General Permit, if required, shall be furnished to the P&Z office prior to the issuance of any zoning permit for home construction.
9. The accessway serving Lots 2, 3 and 4 shall be built in accordance with Sec. 4-12 of the Subdivision Regulations. The subdivision map and the deeds for the lots shall state that Lots 2, 3 and 4 shall have mutual and reciprocal easements over the accessway and shall share proportionately in its repair and maintenance as it will not become a public road.
10. All utility lines and connections to houses, including cable TV, shall be placed underground unless authorized by the Planning and Zoning Commission.
11. The applicant shall comply with the requirements of the Highway Department and the Town Engineer in constructing all driveways and accessways, and drainage structures.
12. Fuel tanks shall be placed in the basement of each new home.
13. Insofar as possible and in order to pursue the objectives of Sec. 4-36 of the subdivision regulations and Sec. 8-25(b) of the Connecticut General Statutes, the developer,

applicant, successor or assigns shall orient home sites so as to maximize solar heat gain, minimize heat loss and provide thermal storage during the heating season, and provide natural ventilation during the cooling season.

14. The applicant, developer, successor or assigns shall comply with all applicable zoning and subdivision requirements not referenced herein.
15. Prior to filing in the Town Clerk's office, the final subdivision map shall comply with the requirements of Sec. 6-6(b) of the subdivision regulations. The final subdivision map shall show all applicable revisions, amendments and notations of this resolution. In addition to the maps for filing, two copies of the final subdivision map at a scale of 1"=100" shall be submitted to the Planning and Zoning office.
16. In granting this approval, the Commission has relied on information and documentation submitted by the applicant and consultants, and if this information proves to be false, deceptive, incomplete and/or inaccurate, the permit may be modified, suspended or revoked.

Reasons: In acting on the above subdivision, the Planning and Zoning Commission of the Town of Ridgefield wishes to state upon its records that said action was taken in recognition of the requirements of the subdivision regulations, and that the proposed development, with the foregoing conditions of approval, will not have a detrimental effect on the orderly development of the district within which it is located. In addition, the records of the Commission will show that the application complies either de facto or by variance with all applicable requirements for development as stated in the zoning regulations, and with the goals and objectives of the Plan of Conservation and Development, for preservation of pedestrian access in the Sugar Hollow Greenway. The record also shows that on 10/18/05 the Commission voted to grant a waiver of the mapping of significant trees on Lot 4, provided that the trees would be marked as a condition of approval under a Site Plan Application for development of that lot.

2. **#2005-129-SP:** Special Permit application as required by Sec. 312.0 of the zoning regulations to permit renovations and additions to existing building and expand parking area to accommodate service businesses and professional offices on property located at **36 Grove Street** in the B-2 zone. Owner/Apl.: PST Properties, LLC. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 09/13/05, walked 09/25/05, public hearing commenced and closed 10/18/05. Draft Resolution of Approval requested 10/18/05. 65-day action period ends 12/21/05. For action.*

Mr. McChesney motioned, seconded by Mr. Katz, to approve the application according to the resolution drafted by the Planner. In discussion, Mrs. Willis made a correction in item #3.b, to state that "red or white" oak is recommended for planting on the site. Mr. McChesney recommended removing the condition that required signage to return to the Commission for further review, although the Planner explained that the Special Permit process allowed the Commission to regulate signage design. She emphasized that there are times, with high visibility and with multiple tenant use, when it is recommended that the design receive Commission approval.

The Chairman called the motion to a vote (with the correction to item 3.b and elimination of the requirement for signage review). The motion passed by a vote of 8-0.

RESOLVED TO APPROVE, application for special permit under Sec. 312.0 of the zoning regulations to renovate and expand existing building and improve parking area for service businesses and professional offices on property located at **36 Grove Street** in the B-2 zone, with the following stipulations and conditions:

1. Except as modified by this approval, the site shall be improved as shown on drawings entitled, "Prepared for PST Properties, LLC, 36 Grove Street, Ridgefield – Connecticut," revised 9/1/05, prepared by Trinkaus Engineering, LLC, Steven D. Trinkaus. P.E. (CT Lic #15546), as follows:
 - a. Development Feasibility Plan;
 - b. Detail Sheet.
2. Building renovations and additions shall be in conformance with drawings entitled, "Proposed Renovations, 36 Grove St., Ridgefield, CT," Sheets A-100 and A-200, revised 9/9/05, prepared by Douglas MacMillan, L.A. (CT Lic #4730).
3. Landscaping and screening for the dumpster shall be installed as shown on the Site Planting & Lighting Plan, Sheet SP-1.0, and the Plant List, Sheet SD-1.0, dated 9/13/05, prepared by Von Ohlsen Design Associates, LLC.
 - a. Three sourwood trees shall be substituted for the little leaf lindens between the parking lot and Grove Street;
 - b. A red or white oak tree shall be planted in the island near the driveway entrance;
 - c. A sugar maple shall be planted in the triangular grass area in the southwest corner of the site.
 - d. Shrubbery and trees proposed along the southern border of the site shall be placed so as to provide maximum screening for the residences on adjacent properties.
4. The sidewalk shall be constructed along Grove Street as shown on the plans, in conformance with requirements of Chapter 13 of the Town Code and with approval by the Town Engineer.
5. Prior to the initiation of any work in conjunction with this permit, erosion and sedimentation control measures shall be installed as noted on the plans, and in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*. The Planning and Zoning Office and staff shall reserve the right to require additional erosion control measures as needed throughout the construction process.
6. All exterior lighting shall be in conformance with Sec. 334.0 of the zoning regulations.
7. All connections to municipal sewers, public water and storm water drainage systems shall be implemented in conformance with permits and requirements of applicable town or utility agencies.
8. Prior to occupancy by any tenant for any space within the building, application for Site Plan Approval shall be submitted to the Director of Planning for review and approval.

9. Upon completion of all site improvements and prior to the issuance of the Certificate of Zoning Compliance for the building, the developer shall furnish copies of an as-built for the site to the Planning and Zoning Department and to the Town Engineer.
 - a. The drawing shall show the location of all site improvements including water and sewer lines, drainage structures and underground drainage systems.

10. Work involving heavy machinery for earth-moving shall be performed during the hours of 8:00 a.m. to 4:00 p.m., Monday through Saturday, with no activity on legal holidays. Activity affecting the street during the morning and evening peak business hours shall be avoided, and the applicant shall be responsible for providing traffic control on Grove Street and at the intersection with 38 Grove Street, as needed.
 - a. The repair of any damage to town roads or neighboring property caused by heavy equipment or other activity related to this permit shall be the responsibility of the developer.

11. The applicant is responsible for obtaining approval and/or permits and inspections as needed from the Town Engineer, Highway Department, Health Department, Fire Marshal or other applicable town agencies.

12. In order to ensure proper implementation of public improvements and proper connections to public utilities, the applicant shall post a bond in an amount to be determined by the Director of Planning and the Town Engineer, based on estimates for the specified improvements. Said bond shall remain in place for a minimum of two (2) years and/or may be reduced or released by the Commission upon satisfactory completion of all the work approved by this Special Permit.

13. The applicant shall comply with all other applicable requirements of the zoning regulations not referenced herein, and any variances granted in connection with the project.

14. In evaluating this application, the Board considered the documentation and information presented by the applicant and consultants. If any of this information proved to be false, deceptive, misleading and/or inaccurate, the permit may be modified, suspended or revoked.

Reasons: In granting the above special permit, the Planning and Zoning Commission states that the proposed plan is in compliance with the zoning regulations or variances there of, and if completed according to the terms and conditions of this resolution the project will be in harmony and compatible with the surrounding neighborhood and the district.

3. **#2005-134-SP-SR:** Special Permit as required by Sec. 312.0 of the Ridgefield Zoning Regulations to allow construction of twelve (12) additional, affordable, residential units for the elderly on property located at **25 Gilbert Street** in the MFDD, RA and R7.5 zones. Appl.: Ridgefield Housing Authority. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *Received 09/20/05, walked 10/2/05, public hearing commenced and closed 10/18/05. Draft Resolution of Approval requested 10/18/05. 65-day action period ends 12/21/05. For action.*

Dr. Gelfman motioned, seconded by Mr. McChesney, to approve the project according to the draft resolution prepared by the Planner. The motion passed by a vote of 8-0.

RESOLVED TO APPROVE, application for special permit under Sec. 312.0 of the zoning regulations to permit construction of twelve (12) additional, affordable one-bedroom residential dwelling units for the elderly on property located at **25 Gilbert Street** in the MFDD, RA and R-7.5 zones, with the following stipulations and conditions:

1. Except as modified by this approval, improvements shall be completed as shown on drawings prepared by Didona Associates, Landscape Architects, LLC, DCA Architects and Planners, LLC and Rotondo Engineering, LLC, entitled “Ballard Green Additions,” as follows:
 - a. Site Demolition Plan, Sheet L-1, dated 10/18/05;
 - b. Site Layout Plan, Sheet L-2, dated 10/18/05;
 - c. Site Grading Plan, Sheet L-3, dated 10/18/05;
 - d. Site Planting Plan, Sheet L-4, dated 10/18/05;
 - e. Utility Plan., Sheets SP-1 and SP-2, dated 8/24/05;
 - f. Erosion & Sedimentation Control Notes & Details, Sheet SP-3, dated 8/24/05;
 - g. Details, Sheet SP-4, dated 8/24/05.
2. Except as modified by the Site Layout Plan in 1.b above (revised 10/18/05), buildings shall be constructed as shown on drawings entitled, “Alterations & Additions to Ballard Green Housing, 25 Gilbert Street, Ridgefield, CT 06877,” Sheets A1 and A2, dated 8/29/05, prepared by DCA Architects & Planners, LLC.
3. Existing features shall be demolished for the new construction as shown on the Site Demolition Plan in 1.a above, and landscaping shall be installed as shown on the Site Planting Plan. As represented by the applicant’s consultant at the public hearing, the demolition plan has been altered to save certain significant trees identified on the site walk, and to provide additional screening for residents of Gilbert Street.
 - a. Significant trees marked for protection shall be protected from disturbance during the construction process in accordance with standards set forth in Sec. 326.0C of the zoning regulations. Where applicable, cribbing and/or orange construction fencing shall be installed no closer that the drip line of the tree, to prevent intrusion and damage caused by construction vehicles. The fence shall remain in place until construction is complete and the site is fully stabilized.
 - b. Homestead Elms will be substituted for red maples shown on the plans.
4. Prior to the issuance of any zoning permit or the commencement of any activity on the property, all erosion and sedimentation control structures shall be installed in accordance with approved plans and specifications and under the terms and conditions of this permit, with strict adherence to the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*, DEP Bulletin 34. All Erosion and sedimentation control measures shall remain in place until all work is complete and the site is fully stabilized. Planning and Zoning staff shall retain the right to require additional erosion control measures throughout the construction process.

5. The applicant is responsible for obtaining all necessary permits from applicable Town agencies for work relating to the municipal sewers and drainage systems.
6. The dumpsters for waste and recycling near the Gilbert Street entrance to the site shall be screened with fencing and shrubbery, according to a plan to be provided by the applicant, for review and approval by the Director of Planning.
7. Final plans for the placement of fire hydrants and provision for access to buildings for fire-fighting purposes shall be in compliance with the requirements of the Fire Marshal.
8. All exterior lighting shall be in compliance with Sec. 334.0 of the zoning regulations.
9. As represented by the authorized agent, a prominent street number shall be added to the existing sign on Gilbert Street, to identify the property.
10. Prior to the issuance of the Certificate of Zoning Compliance for the last new dwelling unit to be constructed on the site, the applicant shall submit a site as-built drawing to the Planning and Zoning Office, the WPCA, and the Town Engineer. The drawing shall show the site drainage system and all new connections for public utilities.
11. In evaluating this application, the Commission considered the documentation and information presented by the applicant and consultants. If any of this information proves to be false, deceptive, misleading and/or inaccurate, the permit may be modified, suspended or revoked.

Reasons: In granting the above special permit, the Planning and Zoning Commission states that the proposed plan is in compliance with the zoning regulations of the Town of Ridgefield, including a variance granted by the Zoning Board of Appeals on 8/29/05, and if completed under the conditions and stipulations noted above, the project will be in harmony with the surrounding neighborhood and the district.

4. **#2005-140-REZ-S-SR:** (1) Application to Rezone 4.39± acres of land from R-A to SD R-20 and (2) application for 7-lot subdivision on property located on the south side of **Bryon Avenue**, west of High Ridge Avenue. Owner/Appl.: Country Club Development, LLC. Auth. Agent: Donnelly, McNamara & Gustafson, P.C. *Received 10/5/05, walked 10/16/05, public hearing commenced 11/1/05. 65- day action period ends 01/4/06.*

The public hearing opened on 11/1/05 and has been continued to 12/6/05. This item was tabled because the hearing has not yet been completed. The Commission will re-walk the site on 11/6/05.

5. **#2005-143-SP-SR:** Special Permit application under Sec. 312.0 as required by Sec. 306.0.D. to excavate/grade approx. 20,000 cu. yds. of material and permit screening of topsoil on site in conjunction with construction of Derby field for horse training. Property located at **11 Old Stagecoach Road** on 87.3 acres of land in the RAAA zone. Owner: Hunter Harrison. Appl./Auth. Agent: Don Longo. *Received 10/11/05,*

walked 10/16/05, public hearing commenced 11/1/05. 65- day action period ends 01/4/06. For action.

Mr. McChesney motioned, seconded by Mr. Katz, to approve the Special Permit according to the plans and the presentation by the applicant. The Planner suggested standard conditions relating to the requirements of Sec. 306.0 of the zoning regulations.

The motion passed by a vote of 8-0. A final resolution will be prepared, with no draft needed for further Commission review.

NEW ITEMS

6. **Discussion: #2005-091** re Route 35 Access Management Plan. Set date for public hearing. c/o P.D.

Chairman Mucchetti suggested a public hearing on the Route 35 Access Management Plan for 12/13/05. The Planner explained that Jon Chew, Executive Director of the Housatonic Valley Council of Elected Officials, and Ruth Fitzgerald, Planner for the firm who prepared the Route 35 Study, would present the Access Plan at the hearing. The Commission may then adopt the Plan as an addendum or by reference in the Plan of Conservation and Development and/or the zoning regulations.

Mr. McChesney motioned, seconded by Dr. Gelfman, to set a public hearing for 12/13/05. The motion passed 8-0.

7. **#2005-146-SP-SR:** Special Permit application under Sec. 312.0 as required by Sec. 306.0 Excavation, Filling and Grading of the Ridgefield Zoning Regulations to construct a horse riding ring and adjacent pathways and paddock areas on property located at **85 Spring Valley Road** in the RAAA zone. Appl./Owner: Kenneth Sturm. Auth. Agent: John F. McCoy VII, P.E. 65-days to commence public hearing ends 1/4/06. For receipt, schedule walk and public hearing.

The Planner pointed out that this application is submitted in response to a Cease and Desist from the Zoning Enforcement Official, for filling and excavation work without permits. A public hearing is required because the fill package exceeds 500 cubic yards and falls under the requirements of Sec. 306 of the zoning regulations.

Mr. Katz motioned to receive the application, seconded by Dr. Autuori. At the suggestion of the Chairman the motion included scheduling a walk for 11/6/05 and a public hearing for 12/13/05. The motion passed by a vote of 8-0.

8. **#2005-148-REF:** Referral under Sec. 8-24 of the Connecticut General Statutes to lease 1,474 s.f. of office space to Life Care Design in the Richard E. Venus building located on **Prospect Street**. Owner: Town of Ridgefield. For action.

Mr. Katz motioned, seconded by Mr. McChesney, to issue a favorable report for the leasing of space at the Venus Building to LifeCare Design. The motion passed 8-0.

9. **#2005-149-REF:** Referral under Sec. 8-24 of the Connecticut General Statutes to accept a donation of seven acres of property located at **35 Copps Hill Road**. Owner: 35 Copps Hill LLC. *For action.*

Mr. Katz motioned, seconded by Mr. McChesney, to issue a favorable report for the Town's acceptance of the donation of 7± acres of property located behind the facility at 35 Copps Hill Road. It was pointed out that the property adjoins lands owned by the Town of Ridgefield, for the Parks and Recreation facility on Danbury Road.

The motion passed 8-0.

10. **#2005-150-REF:** Referral under Sec. 8-24 of the Connecticut General Statutes to accept a 4-acre section of property located in **Mapleshade Cemetery**. Property bounded by North Salem Road, Maple Shade Road and North Street. Owner: Scott Family. *For action.*

Mr. Katz motioned, seconded by Mr. McChesney, to issue a favorable report for the Town's acceptance of the Mapleshade Cemetery. There was some discussion about whether the Town would be assuming liability for future costs to operate and maintain the cemetery. Selectman Yanity was in the audience, and he explained that the State advocates public ownership of cemeteries over private ownership, and it was appropriate for the Town to accept Mapleshade. Beth Yanity contributed comment that the Graveyard Committee was actively working on the cataloguing and history of all cemeteries in Town, and they have spent hundreds of hours researching Mapleshade. Mr. Yanity confirmed that there are plots still available for sale, and the Town would eventually recoup some of the costs.

The Chairman asked for a vote, and the motion to issue a favorable reply to the 8-24 referral passed by a vote of 8-0.

MINUTES

For Approval: October 11, 2005

Dr. Autuori motioned, seconded by Mr. McChesney, to approve the minutes for October 11, 2005. The motion passed, 8-0.

COMMISSION WALKS

At this meeting, the Commission confirmed a second walk for **66 Grove Street** November 6, 2005, and added **85 Spring Valley Road** and **Bryon Avenue** to the schedule for the same date.

REQUESTS FOR BOND RELEASE / REDUCTION

#2002-14-SP: 183 High Ridge Av, St. Mary's landscaping bond. PD recommends reduction to \$1,500.00.

The Chairman referred the Commission to the Planner's memorandum and explanation that landscaping agreements had been worked out between the Carboni family on Barry Avenue and St. Mary's. The remaining bond amount will be kept in place for at least another growing season, until new plantings and transplantings are established.

Dr. Gelfman motioned, seconded by Dr. Autuori, to reduce the bond as recommended. The motion passed 8-0.

CORRESPONDENCE

There was no correspondence for discussion.

Hearing no further discussion, the Chairman adjourned the meeting at 11:15 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning