

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

November 20, 2007

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

Absent: Phil Mische

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

Public hearings were held prior to the meeting.

At 11:03 p.m. Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2007-129-SP-SR:** Summary Ruling application for discharge into existing stream channel on property located at **36 Saw Mill Hill Road** in the RAA zone in conjunction with Special Permit for driveway reconstruction. Owner: Robert Rosseau. Appl./Auth. Agent: Frank Fowler, III, PE, LS. *65-day action period ends 12/27/2007. Received 10/23/2007. Walked 10/28/2007. Tabled 11/7/2007. For action.*

Mr. Walsh recused himself from participation in this application.

Dr. Autuori motioned, seconded by Mr. Fossi, to table action on the item until the public hearing on the Special Permit was completed. The motion passed, 7-0-1. Mr. Walsh recused.

NEW ITEMS

2. Meeting Schedule for 2008-distributed 11/7/2007. *For approval.*

Chairman Mucchetti asked for a vote to approve the calendar of meetings for 2008. The Planner pointed out the addition of the Wednesday meeting on January 2nd, the day after New Year's, and also noted that there were no designated meetings for public hearings.

Dr. Autuori motioned, seconded by Mr. Katz, to approve the calendar as presented. The motion passed, 8-0.

3. **#2001-55-SR:** Summary Ruling application for re-instatement of pond dredging permit issued July 31, 2001 on property located at **177 Rippowam Road** in the RAAA zone. Owner: Catherine M. Randolph. Appl./Auth. Agent: Nazzaro, Inc. For action.

Chairman Mucchetti noted that the original permit was issued in 2001, and asked if a site walk was needed. The consensus was that the Wetlands Inspector/Agent and/or the Planner/Agent could inspect the site.

Mr. Katz preferred that the application be handled administratively. The Planner explained that the permit must be a Board permit, but the inspection can be administrative.

Mr. Katz motioned, seconded by Dr. Autuori, to table the application and reschedule it for an agenda after the site walk and a report from the Agent/s has been completed.

4. **463 North Street:** Request from Wetlands Inspector Aimee Pardee, inspection to determine need for permit or remediation. Owner: Mario Prisco. For discussion/schedule site walk if needed.

Chairman Mucchetti cited a memorandum from Wetlands Inspector, Aimee Pardee, requesting a site walk to determine the need for either remediation, or for an Application for Permit. A portion of the wetlands adjacent to a pond on the site had been filled. The Chairman described this as a case where gradual encroachment is taking place.

Mr. Katz felt it goes way beyond that, noting that, when the owners purchased the property, they were specifically instructed as to how to proceed with proposed site work. They ignored the instruction.

Dr. Autuori motioned, seconded by Mr. Katz, to schedule a site walk for December 2, 2007. The motion passed, 8-0.

BOARD WALKS

The Board scheduled the following site walk for December 2, 2007:

- **463 North Street, Prisco**

REQUESTS FOR BOND RELEASES/REDUCTION

- **#2006-062-REV-IW: 13 Cedar Lane** request for release of \$1500 bond; Kynast

Chairman Mucchetti noted the memo from the Wetlands Inspector, with reference to the letter from Craig Studer, L.A., stating that the remediation plantings had been installed, as required.

Mr. Katz motioned, seconded by Dr. Autuori, to release the bond, as requested by the homeowner. The motion passed, 8-0.

CORRESPONDENCE

Chairman Mucchetti pointed out the following correspondence:

- New address list for Commissioners, adding Mr. Chipouras and Mr. Mische to the list.
- Letter from the NYC DEP re the proposed bridge at the town's golf course, located off Ridgebury Road. The Agent said the concerns of the NYC DEP could be handled administratively during the meeting with the contractor, prior to construction.

MINUTES

Dr. Autuori motioned, seconded by Mr. Fossi, to approve the minutes of November 7, 2007. The motion passed, 7-0-1. Mr. Chipouras abstained.

Hearing no further discussion, the Chairman adjourned the meeting at 11:09 p.m.

Respectfully submitted,

Linda Caponetti
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

November 20, 2007

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

Absent: Phil Mische

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

Public hearings were held prior to the meeting.

At 11:10 p.m., Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2007-112-SP:** Special Permit application under Section 9.2 as required by Section 3.3.D.2. of the zoning regulations for display and sale of art at **Garden of Ideas**, a non-residential use in a residential zone. Property located at **34 Craigmoor Road** in the RAA zone. Owners/Appls.: Joseph H. Keller and Ilsa L. Svendsen. *Received 10/9/2007. Public hearing commenced 11/7/2007 and continued and closed 11/13/2007. Draft Resolution of Approval requested 11/13/2007. 65 day action period ends 1/17/2008. For action.*

Mr. Katz recused himself from participation in this application.

Chairman Mucchetti noted the draft resolution of approval prepared by the Planner.

The Planner pointed out that the revision at the table had been amended once more on 11/19 and 11/20, based on counsel's recommendations, to clarify and better define the "art" permitted within the gallery, and to add the shed. The Chairman noted that the new language was in boldface and underscored.

Dr. Autuori motioned, seconded by Mr. Fossi, to approve the application according to the draft resolution.

The Chairman again expressed her concern about setting a precedent for allowing a retail use in a residential zone, warning that the Commission's high regard for the applicants and what they have done with their property could influence their decision to take "a risky step" by allowing retail use in a residential zone. She called for a vote.

The motion to approve passed by a vote of 4-2-2, with Chairman Mucchetti and Mr. Walsh opposed, Mr. Katz recused, and Mr. Chipouras abstained.

2. **IF PUBLIC HEARING CLOSED: #2007-123-SP:** Special Permit under Section 9.2 as required by Sec. 5.2 of the Ridgefield Zoning Regulations to (1) construct a 3,543 s.f. branch bank, with drive thru facilities and related improvements and (2) as required under Sec. 7.5 permission to process earth materials on site. Property located at **14 Danbury Road** in the B-1 zone. Owner: JMF Realty, LLC. Appl.: Webster Bank, N.A. Auth. Agent: Ward J. Mazzucco, Esq. *Received 10/16/2007. Walked 10/28/2007. Public hearing commenced 11/13/2007, continued to 11/20/2007. 65-day action period ends 1/24/2008. For action*

The public hearing was continued to 12/4/07 and there was no discussion.

3. **IF PUBLIC HEARING CLOSED: #2007-121-SPA-SR:** Site Plan application under Section 9.1.C.2. of the zoning regulations to permit construction of a 16 unit two bedroom apartment community in accordance with Sec. 8-30g of the Connecticut General Statutes on 1.2 acres of land located at **76 Governor Street** in the RA zone. Owner: 76 Governor Street LLC. Appl.: Stephen Zemo. Auth. Agent: Matthew Ranelli, Esq. *Received 10/16/2007. Walked 11/11/2007. Public hearing commenced 11/20/2007. 65 day action period ends 1/24/2008. For action.*

The public hearing was continued to 12/4/07 and there was no discussion. (Note: As per earlier discussion during the public hearing, a second site walk was scheduled for 12/2/07.)

4. **IF PUBLIC HEARING CLOSED: #2007-129-SP-SR:** Special Permit under Section 9.2 as required by Section 7.5 for excavation to reconstruct driveway on property located at **36 Saw Mill Hill Road** in the RAA zone. Owner: Robert Rosseau. Appl./Auth. Agent: Frank Fowler, III, PE, LS. *Received 10/23/2007. Walked 10/28/2007. Public hearing commenced 11/20/2007. 65- day action period ends 1/24/2008. For action.*

The public hearing was continued pending the engineer's ability to respond to several questions, including the review by consultant LADA, P.C. (reviewing the application on behalf of the Commission). The item will be rescheduled when the engineer is ready to return with revised plans.

5. **#2007-076-SP-VDC: 451-465 Main Street.** Owner: E.A.L. Associates. Color coordination of signs. *Tabled 11/13/2007. For discussion/action.*

The Planner pointed out that the Architectural Advisory Committee, acting as the Village District Consultant, had finally approved the tenant signs in the CVS Plaza with a green background and gold lettering. The free-standing sign in front of the plaza will return to the agenda when a location has been selected at the front of the property. The Planner asked the Commission for input on where the sign might be located.

The Chairman reminded the Commission that the color of the fascia board signs was to match the color of the free standing sign in front of the plaza. The Commission acknowledged the green and gold color scheme approved by the VDC.

NEW ITEMS

6. Meeting Schedule for 2008 (PZC and APA)-distributed 11/7/2007. *For approval.*

Chairman Mucchetti asked for a vote to approve the meeting schedule as presented (same schedule approved for the Inland Wetlands Board). She noted that the last Tuesday of each month had been left off the agenda, pending the scheduling of Special Meetings/Work Sessions for the Ridgefield Center Study.

Dr. Autuori motioned, seconded by Mrs. Willis, to approve the meeting schedule as presented. The motion passed, 8-0.

7. **#2007-134-SP:** Special permit application under Section 9.2 required by Sections 3.3.D.2 of the Ridgefield Zoning Regulations to permit a portion of the existing barn to be used as a woodworking shop on property located at **78 Cain's Hill Road** consisting of 2.74 acres in the RAA zone. Owners: Robert B. Liesegang, Gail R. Liesegang, Robert B. Liesegang, Jr. Appl.: Robert Liesegang. Auth. Agent: Donnelly, McNamara and Gustafson, P.C. *65-days to schedule public hearing ends 1/24/2008. For receipt, schedule walk and public hearing.*

Chairman Mucchetti suggested December 2, 2007 for a site walk date, and December 11, 2007 for a public hearing.

Mr. Katz motioned, seconded by Dr. Autuori, to schedule the walk and the public hearing on the dates suggested by the Chairman. The motion passed, 8-0.

COMMISSION WALKS

The Commission scheduled the following site walks for December 2, 2007:

- **#2007-121-SPA-SP:** Sec. 8-30g Application, **76 Governor Street, Zemo**
- **#2007-134-SP:** Special Permit **78 Cain's Hill Road, Liesegang**

REQUESTS FOR BOND RELEASES/REDUCTION

- **#2005-105-SP-SR: 901 Ethan Allen Highway**, request for bond release. Owner: Ridgefield Professional Center, LLC. PD recommends \$75,000 reduction.

Mr. Katz motioned, seconded by Dr. Autuori, to reduce the bond from \$180,000 to \$105,000 for Phase III work, as recommended by the Planner's memorandum. The motion passed, 8-0.

- **#2001-49-S-PR: Branchville Road, Ablon Subdivision**, request for release of bonds. Developer: Heritage Homes Construction. PD recommends 100% release.

Mr. Katz motioned, seconded by Dr. Autuori, to release the bonds as recommended by the Planner. The motion passed, 8-0.

CORRESPONDENCE

Chairman Mucchetti pointed out the following correspondence:

- Minutes of the AAC/VDC advisory committees, for architectural review of projects at their November 13th meeting, most notable being the projects at 27R Catoonah St. and 2 Prospect St.

MINUTES

Dr. Autuori motioned, seconded by Mr. Fossi, to approve the minutes of November 7, 2007. The motion passed, 7-0-1. Mr. Chipouras abstained.

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

Respectfully submitted,

Linda Caponetti
Recording Secretary