

APPROVED / REVISED  
MINUTES  
INLAND WETLANDS BOARD MEETING

DATE September 21, 2010 Present: Michael Autuori  
Peter Chipouras  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Rebecca Mucchetti, Chairman  
Patrick Walsh, Vice Chairman

Absent: Joseph Fossi

Also Present: Betty Brosius, Wetlands Agent  
Lise Read, Recording Secretary

*Planning and Zoning Public Hearings were held prior to the meeting.*

At 8:27 PM Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

- 1. #2010-089-SR:** Summary Ruling application under Section 7.5 of the Inland Wetlands and Watercourses Regulations for disturbance and activities in the upland review area in conjunction with construction of a new single family residence and related site development on property located at **Wilton Road East** in the RAA zone. Owner: Whitehall Realty. Appl./Auth. Agent: Margaret Price Sims. *65-day action period ends 11/11/2010. Received 9/7/2010, walked 9/12/2010. Draft Resolution of Approval requested 9/12/2010. For discussion/action.*

Chairman Mucchetti referenced the draft Resolution and the letter from the Conservation Commission, which stated there were no comments.

Mr. Katz commented that there were no additional comments because they had commented already.

Chairman Mucchetti replied that the Conservation Commission had asked for a Plenary review, which was denied. Upon denial, the Conservation Commission stated that they would walk the property again and possibly have comments for tonight's meeting. They have no comments hence the letter.

**Mr. McChesney motioned, Dr. Autuori seconded to pass the Resolution of Approval as presented by the Wetlands Agent with standard conditions. Motion carried 8-0-0.**

**NEW ITEMS**

There were no new items.

**BOARD WALKS**

There were no walks scheduled.

**REQUESTS FOR BOND RELEASES/REDUCTION**

There were no requests for bond release or reduction.

**CORRESPONDENCE**

Chairman referred to the "In the Mainstream" Newsletter from the Norwalk River Watershed Association in the Commissioner's packet and specifically asked the Commission to read the article titled "How Planned Development Along Route 7 Will Affect the Norwalk River". She noted the article was worth reading.

**MINUTES**

**Mr. Chipouras motioned, Mr. Mische seconded to approve the Meeting Minutes of September 7, 2010.**

**Distributed:** September 14, 2010

**PUBLIC HEARINGS**

There were no Public Hearings scheduled.

Hearing no further discussion, the Chairman adjourned the meeting at 8:35 PM.

Respectfully Submitted,

Lise B. Read  
Recording Secretary

APPROVED / REVISED  
MINUTES  
PLANNING AND ZONING COMMISSION MEETING

DATE September 21, 2010      Present:      Michael Autuori  
Peter Chipouras  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Rebecca Mucchetti, Chairman  
Patrick Walsh, Vice Chairman

Absent:      Joseph Fossi

Also Present: Betty Brosius, Director of Planning  
Lise Read, Recording Secretary

*Planning and Zoning Public Hearings were held prior to the Inland Wetlands Meeting.*

At 8:36 PM Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

1. **AMENDED: #2010-054-SP:** Revised Application for Special Permit under Sec. 9.2, eliminating application under Sec. 7.5 (Excavation, Filling and Grading) and 7.9 (Driveways – 14% grade) and confirming application under Sec. 3.3.A.2 (Accessory Uses – garage bays in excess of allowable amount), and adding Section 3.4.D.3 (Outbuilding in Front Yard) to permit construction of a detached three-car garage on property located at **112 Old Branchville Road** in the RAA zone. Owner: Diana Boehringer, Trustee. Appls.: Eugene & Diana Boehringer. Auth. Agent: Jonathan Kost. *Received 6/8/2010. Walked 6/27/2010. Public hearing commenced 7/13/2010, continued to 9/7/2010, and continued to 9/14/2010 (extension granted). 28 days of 65 used for extension of public hearing. Public hearing closed 9/14/2010 and draft Resolution of Approval requested. 65-day action period ends 11/18/2010. For action.*

Mr. Mische commented that under Item #3, he would like it to read Paragraph (a) only. He felt the other wording under Item #3 is outside of Planning and Zoning purview. Mr. Walsh asked Ms. Brosius what was her reasoning for referencing the Building Department requirements and she responded that it is for the applicant. Applicants tend to skip required steps for approval if not spelled out for them. In this case, Ms. Brosius felt removing the wording would be acceptable.

Mr. Mische also asked that the parentheses in Item #7 be removed and to remove the word especially and replace it with “and any ‘ deliveries ....

**Mr. Katz motioned, Dr. Autuori seconded to approve the Resolution of Approval presented by the Director of Planning with standard conditions and with amendments made by the Commission in Item #3 and Item #7. Motion carried 8-0-0.**

2. **#2010-069-SP-AH:** (1) Application for Special Permit under Sec. 9.2 pursuant to Sec. 3.2.C.6 (Adaptive Reuse of Historic or Architecturally Significant Buildings), and (2) Application under §8-30g of the Connecticut General Statutes (Affordable Housing) for six units of which 30% shall be “affordable,” for property located at **613 Main Street** in the R-20 zone. Owner/Applicant: 613 Main St, LLC. Authorized Agent: Donnelly, McNamara & Gustafson, P.C. *Received 7/13/2010, walked 9/12/2010. Public hearing commenced 9/14/2010 and continued to 9/21/2010. 65-day action period ends 11/25/2010. For discussion/action.*

Chairman Mucchetti stated that the Public Hearing on the application is closed and that this matter can be discussed comprehensively but the Resolutions must be separate. She asked Ms. Brosuis if the Adaptive Reuse may be discussed first. Ms. Brosuis agreed and added that the two separate Resolutions will reference each other.

Mr. Katz motioned to draft a Resolution with conditions brought up in the Public Hearing as regards to landscaping, trees and an island in the center of the driveway with the Fire Marshal reviewing and hopefully approving these changes.

Ms. Brosius noted that the Draft Resolution will be presented to the Commission on 10/5/10 which will give her plenty of time to see the Fire Marshal.

**Mr. Katz motioned, Mr. Walsh seconded to have a draft Resolution of Approval drawn up by the Director of Planning for the Special Permit for Adaptive Reuse. Motion carried 8-0.**

**Then, Mr. Katz motioned, Mr. Walsh seconded, to have a draft Resolution of Approval drawn up by the Director of Planning for the affordable housing units, under 8-30g of the Connecticut Statutes. Motion carried 5-2-1 with Dr. Gelfman abstaining. Mr. Chipouras and Dr. Autuori voted against.**

3. **#2010-078-REV(SP):** Revision to Special Permit under Section 9.2.A.7 of the Ridgefield Zoning Regulations for expansion of existing building located at **45 South Street, ROAR Animal Shelter** in the B-2 zone. Owner: Town of Ridgefield. Appl.: ROAR. Auth. Agent: Jim DeLalla. *Received 7/27/2010. Walked 9/12/2010.*

*Draft Resolution of Approval requested 9/14/2010. 65-day action period ends 9/30/2010. For discussion/action.*

**Mr. Walsh motioned, Mr. Mische seconded to pass the Resolution of Approval presented by the Director of Planning with standard conditions. Motion carried 7-0-1. Mr. Katz recused himself.**

#### **NEW ITEMS**

4. Proposed September 28, 2010 Commission working meeting to discuss possible revisions to zoning regulations c/o Chairman.

There were no objections from the Commission to schedule this meeting. Chairman Mucchetti put it on the calendar.

5. **#2010-094-PRE:** Pre-Submission Concept under Section 9.2.E of the Ridgefield Zoning regulations for site development on property located at **35-37 Danbury Road** and **10-16 Roberts Lane** in the B-1 zone. Owner: Eppoliti Realty Corporation. Suggest schedule discussion on October 12, 2010.

This overview of a possible application has been scheduled for discussion at the regular Planning and Zoning Meeting of 10/12/10.

#### **COMMISSION WALKS**

There were no walks scheduled.

#### **REQUESTS FOR BOND RELEASES/REDUCTION**

There were no requests for bond release or reduction.

#### **CORRESPONDENCE**

1. Chairman Mucchetti referenced the email from the Norwalk River Watershed Action Committee asking her to attend a meeting scheduled for 9/29/10. Chairman Mucchetti stated she could not attend this meeting and asked if someone on the Commission could take her place. There were no volunteers.
2. Chairman Mucchetti referenced Item #10 in the Route 7 Task Force Minutes. It was noted that while communication between the EDC, WPCA and PZC is good, Planning and Zoning alone has the right to approve or deny changes in zoning.

In regards to the Route 7 development, Dr. Autuori commented that in the article mentioned earlier, "In the Mainstream", it states that sites along the Norwalk River have exceeded the DEP allowable impervious cover percentage of 12% and are ranging from 14% to 19%.

Chairman Mucchetti asked Ms. Brosius if the Norwalk River has come up in the Task Force meetings. Ms. Brosius replied, no not really. There have just been transit-oriented discussions.

## MINUTES

1. Mr. Katz referenced Page 5, Item 2, Paragraph 4 in the Minutes. He asked that it be changed to read ..."B3 to B1, which would **bring control back to P&Z when an applicant** wished to make changes **and that the applicant being required to present to the Zoning Board of Appeals would no longer be necessary**".
2. Chairman Mucchetti requested the following:
  - a. Page 4, Special Agenda Exception should begin to read "Chairman Mucchetti **invited** without objection Mrs. Emma Lou Benedict ..."
  - b. Page 6, the Motion should read "**Mr. McChesney** motioned, Mr. Chipouras seconded ...".
  - c. Page 6, Item 5, 2<sup>nd</sup> Paragraph "of CT" should be removed after Water Pollution Control Authority.
  - d. Page 8, Item 10, last sentence, last word should read "Variances" instead of Specials Permits.
  - e. Page 9, Item 12, Paragraph 3 add on at the end "on 9/14/10".

**With the above corrections, Mr. Chipouras motioned, Mr. Walsh seconded to approve the Meeting Minutes of September 7, 2010. Motion carried 8-0-0.**

**Distributed:** September 14, 2010

Hearing no further discussion, the Chairman adjourned the meeting at 8:50 PM.

Respectfully Submitted,

Lise B. Read  
Recording Secretary