

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION
INLAND WETLANDS BOARD
PUBLIC HEARING

These minutes are a general summary of the meeting and are not a verbatim transcription.

April 23, 2019

Present: John Katz
Rich Vazzana
Joseph Dowdell
Catherine Savoca
George Hanlon
Mark Zeck
Charles Robbins
Joseph Fossi, Vice Chair
Rebecca Mucchetti, Chair

Also Present: Richard Baldelli, Director of Planning and Zoning
Daniel Robinson, Assistant Planner
Beth Peyser, Inland Wetlands Agent & Conservation Enforcement Officer
Tom Beecher, Commission and Board Counsel
Eileen White, Recording Secretary

At 7:30 p.m. Chair Mucchetti called the meeting to order and gave an overview of the process. Ms. Mucchetti stated that there would be two public hearings: first, as the Inland Wetlands Board for a Summary Ruling Application and second, for a Special Permit Application, both for **865 and 901 Ethan Allen Highway**. Ms. Mucchetti also stated that there would be working meetings of the Inland Wetlands Board and the Planning and Zoning Commission.

Commissioner George Hanlon was recused on the 104 West Mountain Road item.

INLAND WETLANDS BOARD

Item I: #2019-012-SP-FP-SR: Summary Ruling Application per Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations to conduct regulated activities to remedy an outstanding violation in wetlands and the upland review area of wetlands at **865 and 901 Ethan Allen Highway** in the B-2 Zone and RAA Zone, respectively. *Owner/Applicant: Kelly Molony, Executrix of the Estate of Michael Venus. Authorized Agent: Peter S. Olson. Statutorily received on February 19, 2019. Site walked on March 17, 2019. 35 days to close a public hearing is May 28, 2019*

PLANNING AND ZONING COMMISSION

Item I: #2019-012-SP-FP-SR: Special Permit Application per Section 9.2 and Site Plan Application for Floodplain Development per Section 11.5 of the Town of Ridgefield Zoning Regulations to restore an area of property which was disturbed without permits at **865 and 901 Ethan Allen Highway** in the B-2 Zone and RAA Zone, respectively; and Special Permit Application per Section 9.2 and 5.3.D.6 of the Zoning Regulations for a contractors' yard at **865 Ethan Allen Highway**.
Owner/Applicant: Kelly Molony, Executrix of the estate of Michael Venus. Authorized Agent: Peter S. Olson, Land Use & Conservation Counsel. Statutorily received on February 19, 2019. Site walked on March 17, 2019. 35 days to close a public hearing is May 28, 2019.

Mr. Katz motioned, Mr. Robbins seconded to combine the review of the Summary Ruling Application with the Special Permit Application and the Site Plan Review for 865 and 901 Ethan Allen Highway. Motion carried 9-0.

Mr. Baldelli read the legal notices.

Mr. Baldelli reviewed the zoning and floodplain violations.

Ms. Peyser reviewed the wetland violations.

Mr. Olson, Land Use Counsel, represented the applicant. Mr. Dainius Virbickas engineer, presented the details of the site map and possible remedies to the violations.

Discussion took place regarding the possible remedy proposals, including removing the millings and the fill that go over the boundary line from **865 to 901 Ethan Allen Highway** and the installation of a double row of silt fencing.

Mr. Beecher advised the Board and Commission as to their legal purview in this matter.

Hearing no further discussion, the Chair closed the Public Hearing at 9:02 p.m.

Respectfully submitted,
Eileen White

UNAPPROVED/UNREVISED
MINUTES
INLAND WETLANDS BOARD

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George Hanlon
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Rebecca Mucchetti, Chair

Also Present: Richard Baldelli, Director of Planning and Zoning
Daniel Robinson, Assistant Planner
Beth Peyser, Inland Wetlands Agent & Conservation Enforcement Officer
Tom Beecher, Commission and Board Counsel
Eileen White, Recording Secretary

A Public Hearing of the Planning and Zoning Commission and the Inland Wetlands Board was held prior to the Inland Wetlands Board Meeting.

At 9:02 p.m. Chair Mucchetti called the meeting to order.

PENDING ITEMS

- 1. IF PUBLIC HEARING IS CLOSED: #2019-012-SP-FP-SR:** Summary Ruling
Application per Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations to conduct regulated activities to remedy an outstanding violation in wetlands and the upland review area of wetlands at **865 and 901 Ethan Allen Highway** in the B-2 Zone and RAA Zone, respectively. *Owner/Applicant: Kelly Molony, Executrix of the Estate of Michael Venus. Authorized Agent: Peter S. Olson. Statutorily received on February 19, 2019. Site walked on March 17, 2019. 35 days to render a decision is May 28, 2019. For possible discussion and action.*

Ms. Peyser gave a summary of the violations and what has been proposed to remedy the violation as stated in the prior public hearing. She also clarified that Wetlands approval does not include the Flood Zone. Flood Plain falls within the zoning regulations.

Mr. Beecher reminded the Board that, because this matter went to a Public Hearing, the Board would have to find that the plan, if approved, was the feasible alternative to remedy the violations.

The Chair summarized proposals that were made in the Public Hearing, including the parking area, removing the sheds, the storage containers, out of the upland review area outside of the 100-foot upland review line.

Discussion continued regarding the possible remedies in preparation for the Board making a decision at the May 14, 2019 meeting prior to the June 6 court date.

Ms. Peyser discussed adding conditions of approval.

Mr. Katz motioned, Mr. Robbins seconded, to draft a Resolution of Approval for the Summary Ruling Application to remedy violations at 865 and 901 Ethan Allen Highway submitted to the Board prior to the meeting of May 14, 2019 for review and possible action. Motion carried 9-0.

NEW ITEMS

There were none.

BOARD WALKS

May 05, 2019

- **#2019-029-SP-SR**, 22 South Street, TOR, WPCA

REQUESTS FOR BOND RELEASES/REDUCTION

None.

CORRESPONDENCE

None.

MINUTES

For approval: March 26 and April 16, 2019

March 26, 2019

Mr. Hanlon motioned, Mr. Zeck seconded, to approve as amended. Mr. Vazzana abstained. Motion carried 8-0-1.

April 16, 2019

Mr. Hanlon motioned, Mr. Robbins seconded, to approve as amended. Mr. Vazzana abstained. Mr. Zeck abstained. Mr. Dowdell abstained Motion carried 6-0-3.

For distribution: April 09, 2019

PUBLIC HEARINGS

April 23, 2019

- **#2019-012-SP-FP-SR**, Summary Ruling, 865 Ethan Allen, Kelly Molony, Executrix of the estate of Michael Venus.

May 14, 2019

- **#2019-029-SP-SR**, Summary Ruling, 22 South Street, Town of Ridgefield, WPCA

Hearing no further discussion, the Chair adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Eileen White

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION

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Present: John Katz
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George Hanlon
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Joseph Fossi, Vice Chair
Rebecca Mucchetti, Chair

Also Present: Richard Baldelli, Director of Planning and Zoning
Daniel Robinson, Assistant Planner
Beth Peyser, Inland Wetlands Agent & Conservation Enforcement Officer
Tom Beecher, Commission and Board Counsel
Eileen White, Recording Secretary

A Public Hearing of the Planning and Zoning Commission and the Inland Wetlands Board and the Inland Wetlands Board Meeting were held prior to the Planning and Zoning Commission Meeting.

At 9:25 p.m. Chair Mucchetti called the meeting to order.

PENDING ITEMS

- 1. IF PUBLIC HEARING IS CLOSED: #2019-012-SP-FP-SR:** Special Permit Application per Section 9.2 and Site Plan Application for Floodplain Development per Section 11.5 of the Town of Ridgefield Zoning Regulations to restore an area of property which was disturbed without permits at **865 and 901 Ethan Allen Highway** in the B-2 Zone and RAA Zone, respectively; and Special Permit Application per Section 9.2 and 5.3.D.6 of the Zoning Regulations for a contractors' yard at **865 Ethan Allen Highway**. *Owner/Applicant: Kelly Molony, Executrix of the estate of Michael Venus. Authorized Agent: Peter S. Olson, Land Use & Conservation Counsel. Statutorily received on February 19, 2019. Site walked on March 17, 2019. 65 days to render a decision is June 27, 2019. For discussion and possible action.*

Mr. Beecher advised the Commission to take up the floodplain discussion first.

Mr. Baldelli gave the Commission the parameters regarding the disturbance in the floodplain.

Mr. Zeck motioned, Mr. Hanlon seconded, to authorize the office to draft a Resolution to approve the Site Plan for disturbance in the Floodplain. Motion passed 9-0.

The Chair and Mr. Baldelli summarized the parameters for the contractors' yard. Discussion continued regarding the details of the site and accommodating a contractors' yard, including relocating the parking area and installing a barrier between the RAA Zone and the B-2 Zone.

Mr. Zeck motioned, Mr. Hanlon seconded, to authorize the office to write a Resolution of Approval for the Special Permit Application for the Contractors' yard at 865 Ethan Allen Highway with conditions as noted. Motion passed 9-0.

NEW ITEMS

- 1. #2019-030-REV(SP):** Revision to the Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to construct a roof over an existing outdoor patio of \pm 950 Sq Ft. for a property located at 48 Powdermaker Drive in the RAAA zone. *Owner: Pleasant View Recreation and Homeowners Association. Applicant/ Authorized Agent: Daniel Musolino. For receipt, possible discussion and action.*

Mr. Zeck motioned, Mr. Robbins seconded, to approve as presented. Motion carried 9-0. Effective date: May 3, 2019.

- 2. CBD Zone parking discussion.% Parking Authority.**

The Parking Authority gave a presentation asking the Commission to revisit regulations about parking, especially to offset the problem with employee parking. Discussion took place about possible remedies.

- 3. (Contd.) #2019-016-MISC:** Modification to the stipulation to allow the subdivision into 2 lots for a property at 104 West Mountain Road in the RAAA zone. *Owner: Mr. & Mrs. Kriedberg*

Commissioner Hanlon, recused himself and left the meeting room.

Mr. Mason recapped the prior presentation with the Commission and answered prior questions about the perimeters of the Stipulated Agreement.

Mr. Fossi motioned, Mr. Robbins seconded, to have Mr. Mason draft language to revise the Stipulated Agreement that the open-space will be privately owned and there will be a restriction on Lot 66B with no further construction or development at all. Lot 66A will have no further subdivision. Motion carried 7-1-1 with Mr. Katz opposed.

Mr. Fossi motioned, Mr. Zeck seconded to raise an item to the Agenda of the Revised Census Map for a short discussion. Motion carried 8-0.

Mr. Robinson gave a presentation of the Revised Census Map in preparation for the 2020 Census. Discussion took place about the individual naming of areas in Ridgefield.

COMMISSION WALKS

May 05, 2019

- **#2019-029-SP-SR**, 22 South Street, TOR, WPCA

REQUESTS FOR BOND RELEASES/REDUCTION

None.

CORRESPONDENCE

- Letter from Conservation Commission to the First Selectman and Board of Selectmen regarding the Aquifer Protection Agency.
- Letter from Ridgefield Historical Society on the Planning of Conservation and Development.

MINUTES

For approval: March 26 and April 02 & 16, 2019

March 26, 2019

Mr. Fossi motioned, Mr. Robbins seconded to approve as amended. Mr. Vazzana abstained. Mr. Hanlon and Mr. Katz left before the votes. Motion carried 6-0-1.

April 02, 2019

Mr. Fossi motioned, Mr. Dowdell seconded to approve as amended. Mr. Vazzana abstained. Mr. Hanlon and Mr. Katz left before the votes. Motion carried 6-0-1.

April 16, 2019

Mr. Fossi motioned, Mr. Dowdell seconded to approve as amended. Mr. Vazzana abstained. Mr. Hanlon and Mr. Katz left before the votes. Motion carried 6-0-1.

For distribution: April 09, 2019

PUBLIC HEARINGS

April 23, 2019

- **#2019-012-SP-FP-SR**, Special Permit application, 865 Ethan Allen Hwy, Kelly Moloney, Executrix of the Estate of Michael Venus

May 14, 2019

- **#2019-029-SP-SR**, Special Permit application, 22 South Street, Town of Ridgefield, WPCA

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

Respectfully submitted,

Eileen White

2019-04-23