

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

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

October 4, 2016

Present: Peter Chipouras
Stephen Cole
George Hanlon
John Katz
Mark Zeck
Rebecca Mucchetti, Chairman
Joseph Fossi, Vice Chairman

Absent: Tim Dunphy
Di Masters

Also Present: Joanne Meder, Director of Planning
Adam Schnell, Assistant Planner
Lise Read, Recording Secretary

A Planning and Zoning Commission Public Hearing was held prior to the meeting.

For the record, the Planning and Zoning Commission meeting was held first prior to the Inland Wetlands Board meeting.

At 9:40 PM Chairman Mucchetti called the meeting to order.

PENDING ITEMS

There were no pending items.

NEW ITEMS

There were no new items.

BOARD WALKS

There were no Board walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

There was no correspondence.

MINUTES

For Approval:

Vice Chairman Fossi motioned, Mr. Zeck seconded to approve the Meeting Minutes for 9/20/2016 as presented. Motion carried 7-0.

For Distribution:

There were no Meeting Minutes distributed.

PUBLIC HEARINGS

There were no Public Hearings scheduled.

Hearing no further discussion, the Chairman adjourned the meeting at 9:42 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

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October 4, 2016

Present: Peter Chipouras
Stephen Cole
George Hanlon
John Katz
Mark Zeck
Rebecca Mucchetti, Chairman
Joseph Fossi, Vice Chairman

Absent: Tim Dunphy
Di Masters

Also Present: Joanne Meder, Director of Planning
Adam Schnell, Assistant Planner
Lise Read, Recording Secretary

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

For the record, the Planning and Zoning Commission meeting was held first prior to the Inland Wetlands Board meeting.

At 7:53 PM Chairman Mucchetti called the meeting to order.

PENDING ITEMS

- 1. 2016-073-REZ:** Zone Change Application under Section 9.2.C of the Town of Ridgefield Zoning Regulations to alter the zoning designation of **108 Danbury Road** and **130 Danbury Road** from a B-3 Zone to a B-1 Zone. *Applicant: Fred's Servicenter, Inc. and Kelly Copps Hill Realty LLC. Authorized Agent: Robert R. Jewell, Esq. Statutorily received 9/06/2016. Individual walks scheduled. Public hearing held 10/04/2016. 65 days for a decision is 12/08/2016. For discussion and action.*

Mr. Katz made the below motion stating that the ZBA would undoubtedly grant a variance if applied for, that 108 Danbury Rd. is already a B-1 use with the selling of gas and the small convenience store and that traffic is not a safety concern, confirmed by the State every three years, but a frustration concern. Other reasons for supporting the motion were that B-1 is an appropriate use in an appropriate area, that 130 Danbury Rd has been empty for a long time and that this a chance to rectify the rezoning which had stopped at Party Depot when it should have continued down to Farmingville Road.

Mr. Katz motioned, Mr. Chipouras seconded to approve the above Zone Change application as presented and a Final Resolution. Motion carried 7-0.

2. **#2016-079-VDC:** Village District Application under Section 8.3 of the Town of Ridgefield Zoning Regulations per Section 5.1.B for new storefront signage at **404 Main Street** (Keller Williams Realty) in the CBD Zone. *Statutorily Received on 9/13/16. Reviewed by VDC on 9/13/2016 and 9/27/2016. 65 days for a decision 11/07/2016. Owner: Urstadt Biddle Properties. Authorized Agent: Keller Williams Realty. Applicant: Kevin Kane. For discussion and action.*

Also Present: **Ms. Debbie Orr**

Chairman Mucchetti explained that the applicant had been before the VDC twice regarding the storefront signage. Ms. **Borr** explained that Applicant is only changing the logo but does not wish to change the size of the sign (which meets regulations) or the lettering or colors which have been there for 10 years.

Vice Chairman Fossi motioned, Mr. Chipouras seconded to approve the above Village District application as presented by the Applicant and as a Final Resolution with standard conditions. Motion carried 7-0.

3. Discuss Mobilitie wireless infrastructure facility permit right-of-way installation concept. % Chair.

Also Present: **Mr. Rudy Marconi, First Selectman**

Planner Meder and Mr. Marconi both explained the Mobilitie correspondence received and how Mobilitie wants to place telecommunication poles along State Highways in order to improve cellular service. The following points were made:

- Although the letter of August 31, 2016 presented itself as an application, this was not quite accurate. Mr. Marconi had a conversation with a representative from Mobilitie who stated that the referenced letter went out across the State of CT and was not meant to be viewed as an application but as a conversation starter.
- Danbury and Greenwich have filed a lawsuit to block the concept proposed by Mobilitie.
- Mobilitie has been recognized as a utility company, giving it some rights but the State has not yet sanctioned the territories it can use.
- Mobilitie has picked out two areas in Ridgefield which may or may not be suitable.
- Chairman Mucchetti noted the recent Hartford Courant article and stated that the Commission originally thought this fell under the Siting Council authority.
- All four major carriers (T-Mobile, AT&T, Verizon and Sprint) are supporting, although not monetarily, Mobilitie in their effort and see the service as transmitting data only.
- Verizon itself is thinking of using existing telephone poles and placing antennas on top of the pole with a box on the side pole for their services.
- All of this push is coming from the FCC in order to compete with China and Europe and be 5G by the year 2020.
- Mr. Marconi will continue discussions with Mobilitie representatives and will keep the Commission informed.

Commission consensus was to wait for the next update from Mr. Marconi.

NEW ITEMS

- 4. #2016-093-REV(SP):** Revision to the Special Permit under Section 9.2 of the Town of Ridgefield Zoning Regulations to permit grading due to previous building demolition, construction of a new gravel driveway, reconstruction of a previously removed driveway and to temporarily store earth material at **36 Old Quarry Road** in the B-2 Zone. *Applicant: Town of Ridgefield. Authorized Agent: Charles R. Fisher, P.E., L.S. For receipt and action.*

Also Present: Mr. Rudy Marconi, First Selectman
 Mr. Charles Fisher, PE

Mr. Marconi gave a brief presentation followed by Mr. Fisher who reviewed his Memorandum of September 27, 2016. Both gentlemen explained the current activities with respect to grading, driveway construction and earth material storage going on at 36 Old Quarry Road. Discussion ensued with the following points made:

- The sale agreement required Schlumberger to remediate fuel oil contamination and remove buildings.
- In the process, Schlumberger removed 6,000 yards of fill, leaving the site a mess with many dangerous depressions and steep slopes, all of which will require a large amount of fill to be brought back in order to fix.
- Mr. Handshy of Coach Homes, met with the Town offering his excess fill and rock from his project next door, which enabled the Town to address the problems without having to take legal action against Schlumberger.
- With the excess rock on the site and Mr. Handshy's rock, the plan is to crush it and use it to construct a rough temporary driveway at approximately at 7% grade. Malone & McBroom will stake the temporary driveway and there are no paving plans at the moment.
- Ultimately the proposal is to stabilize the area through grading, tapering the steep slopes, filling in the depressed areas and seeding. All erosion and sedimentation controls will be in place.
- Mr. Handshy has asked that 4,000 cy of earth material be stored on this site until the Spring of 2017.
- The current drainage patterns will remain as is for the moment.
- There are known future plans for the site but the intent at present is to only stabilize the site.
- Based on a previously submitted report, which was resubmitted at the meeting, all proposed activity is outside of the nearby wetlands and upland review area.
- The special permit previously issued to Mr. Handshy for storage of topsoil does not have a quantity limit or an expiration date so additional soil stockpiling activities on this site could continue. The special permit previously issued to the Town for concrete crushing permit has expired.

Mr. Katz motioned, Mr. Chipouras seconded to approve the above revision to the Special Permit as presented and as a Final Resolution with standard conditions and the following additional conditions:

- The Town concrete crushing permit will now be expanded for rock crushing, grading, the construction of a rough graded driveway and will expire at the end of October 2016. Malone & McBroom will assist with the staking of the driveway, and Mr. Charles Fisher, PE will assist provide additional information to Planner Meder to describe how the driveway location will be determined.
- Coach Homes' special permit allowing the storage of fill and rock at the site will remain in effect.
- No wetlands application is required.
- Proposed slopes are temporary and work to be completed is to stabilize only.
- Due to legal noticing requirements, it is anticipated that work could continue this Friday.

Motion carried 6-0-1. Mr. Fossi stepped out of the room.

5. **#2016-092-PRE:** Pre-submission Concept Meeting per Section 9.2.E of the Town of Ridgefield Zoning Regulations to discuss whether administrative approval can be issued for the storage of two thousand seven hundred (2,700) cubic yards of fill at **55 Old Quarry Road** if not in conjunction with any development project.

Also Present: Mr. Steve Zemo
Attorney Robert Jewell

After establishing that there was no regulation that would allow administrative approval and that the intent of an application would be to store/stockpile fill only, **Commission consensus was to require an application to be submitted which if received this week could be placed on the 11/1/16 Agenda.**

6. **#2016-083-SP:** Special Permit application under Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.2 for the construction of a 9-foot x 9-foot pump station addition on top of an existing pump station on 0.152 acres at the **Intersection of Craigmoor Road and Craigmoor Road North (C09-00120)** in the RAAA Zone. *Owner: Aquarion Water Company of Connecticut. Applicant: Snyder Civil Engineering. For receipt, schedule public hearing date, and schedule walk if needed.*

Mr. Chipouras motioned, Mr. Hanlon seconded to receive the above Special Permit application, to visit the property as individual Commissioner drive-bys, and to schedule the Public Hearing for 11/1/16. Motion carried 7-0.

7. **#2016-087-VDC:** Village District Application under Section 8.3 of the Town of Ridgefield Zoning Regulations per Section 5.1.B for new front and rear building signage (Aquila Tax Solutions CPA LLC) at **4 Prospect Street** in the CBD Zone. *Reviewed by VDC on 09/27/2016. Owner: Perrin Family Foundation. Applicant: Aquila Real Estate Holding Company LLC/ Yankee Ridge Commercial Condominium Association, Inc. Authorized Agent: Paul Fitzpatrick (Crossroads Signs). For receipt and action.*

Also Present: Mr. Paul Fitzpatrick, Crossroad Signs

Mr. Fitzpatrick gave a brief presentation of his application noting the VDC recommendations. He showed the Commission his colored signs and the two adjoining neighbor's signs which have multiple lines of text explaining their services.

Mr. Chipouras motioned, Mr. Katz seconded to approve the above Village District application as presented by the Applicant and as a Final Resolution with standard conditions. Motion carried 7-0.

8. **#2016-089-VDC:** Village District Application under Section 8.3 of the Town of Ridgefield Zoning Regulations per Section 5.1.B for new signage (425 Main Office Suites) at **425 Main Street** (423-439 Main) in the CBD Zone. *Reviewed by VDC on 09/27/2016. Owner/Applicant: Addressi Center I, LLC, % Carleen Addressi Baer. For receipt and action.*

Mr. Katz motioned, Mr. Zeck seconded to approve the above Village District application as presented and approved by the VDC and as a Final Resolution with standard conditions. Motion carried 7-0.

9. **#2016-088-REV(SP):** Revision to the Special Permit under Section 9.2 of the Town of Ridgefield Zoning Regulations to revise previously approved site plan to remove a 3-foot grass strip along the street, and create a monolithic concrete sidewalk curb at **77 Sunset Lane** in the MFDD Zone. *Owner/Applicant: Charter Group Partners at Ridgefield, LLC. For receipt and discussion.*

Also Present: Mr. Martin Handshy, Charter Group Partners
 Mr. Jay Metcalfe, Charter Group Partners

Mr. Handshy explained that after speaking with an arborist and Town Tree Warden Pinchbeck regarding the agreed upon trees to save, it was determined that to construct a sidewalk over the tree roots would be detrimental to the trees. A brief discussion ensued regarding the existence of a duplicate sidewalk across the street and the benefit of adding an additional crosswalk with the Commission deciding the following:

Mr. Chipouras motioned, Mr. Hanlon seconded to approve a revision to the Special Permit as amended and as a Final Resolution with standard conditions and the following additional conditions:

- **The requirement to install a sidewalk along Sunset Lane is eliminated altogether so that the previously required grass strip along the road can be maintained and disturbance to existing tree roots can be minimized.**
- **Curbing along Sunset Lane is still required but the use of an extruded concrete curb is preferred, subject to review and approval by the Highway Department.**
- **The second crosswalk recommended by the Commission will be referred to the Police Commission for review and approval.**

Motion carried 7-0.

10. #2016-090-PRE: Pre-submission Concept Meeting per Section 9.2.E of the Town of Ridgefield Zoning Regulations to discuss: (1) the establishment of a brewery at **137 Ethan Allen Highway** in the B-2 Zone; and (2) potential zoning regulation text amendments. *Applicant: Robert R. Jewell, Esq. For receipt and discussion.*

Also Present: Attorney Robert Jewell
Mr. Robert Kaye

Attorney Jewell briefly reviewed his letter of 9/28/16 noting that the site will need septic and a well.

Commission consensus was that the above proposed use is appropriate for a B-2 Zone, a zoning regulation amendment will be required to define the use, and an application would require a Special Permit approval.

11. #2016-091-PRE: Pre-submission Concept Meeting per Section 9.2.E of the Town of Ridgefield Zoning Regulations to discuss the addition of one affordable dwelling unit to a previously approved C.G.S. 8-30(g) multifamily housing project at **2 Island Hill Avenue** in the B-1 Zone. *Applicant: Robert R. Jewell, Esq. For receipt and discussion.*

Also Present: Attorney Robert Jewell

Attorney Jewell began the discussion seeking authorization to submit a revision to the Affordable Housing application due to the moratorium. Further, he described his proposal to add a one bedroom 470 sf, 80% affordable dwelling unit for a period of 40 years. He noted there would be no outside changes, no site changes, and no parking changes.

Commission consensus was a revision to the Affordable Housing application would be appropriate and the Commission had no issues with the proposed addition of a one-bedroom affordable unit.

COMMISSION WALKS

- **#2016-083-SP:** Special Permit, **Intersection of Craigmoor Road and Craigmoor Road North (C09-00120)**, *Aquarion Water Company of Connecticut*

The Commissioners will visit the above property as individual Commissioner drive-bys.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

There was no correspondence.

MINUTES

For Approval:

Mr. Katz motioned, Mr. Zeck seconded to approve the Meeting Minutes for 9/20/2016 as amended. Motion carried 7-0.

For Distribution:

There were no Meeting Minutes to distribute.

PUBLIC HEARINGS

Scheduled

- **#2016-083-SP:** Special Permit application, **Intersection of Craigmoor Road and Craigmoor Road North**, *Owner: Aquarion Water Company of Connecticut. Applicant: Snyder Civil Engineering.*

The above Public Hearing was scheduled for November 1, 2016.

October 04, 2016:

- **#2016-073-REZ:** Zone Change Application, **108 Danbury Road and 130 Danbury Road**, *Fred's Servicer, Inc. and Kelly Copps Hill Realty LLC.*

Hearing no further discussion, the Chairman adjourned the meeting at 9:40 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary