

APPROVED / REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

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

June 21, 2016

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

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

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

At 8:23 PM Chairman Mucchetti called the meeting to order.

For the record, Item #2 was heard first, then the Board went back to the top of the Agenda.

PENDING ITEMS

1. **#2016-025-SP-FP-SR:** Summary Ruling under Sec. 7.5 of the Inland Wetlands and Watercourses regulations to permit prior grading and filling within the wetlands on 1.39± acres at **4 Wooster Street** in the RAA zone. *Applicant/Record Owner: Lisa and Matthew Conway. Statutorily received on 3/8/2016. Public hearing held 04/19/2016 and 5/24/2016. 35 days to close public hearing 05/24/2016. 28 day extension provided until 6/21/2016. 35 days for a decision 07/26/2016. For discussion and decision.*

Vice Chairman Fossi motioned, Mr. Chipouras seconded to approved a modified/revised Summary Ruling application to remove fill and establish a vegetated buffer adjacent to the river, as a Final Resolution with the following conditions:

- **All “new” fill (deposited after 1982) must be removed in accordance with the remediation plans presented by Ms. Kate Throckmorton, LA,**

Environmental Land Solutions including the implementation of mitigation plantings..

- **Fill is to be removed in dry periods between July and October, and remediation plantings must be installed by November 1, 2016..**

Motion carried 9-0.

- 2. ORDER TO CEASE AND DESIST AND SHOW CAUSE HEARING: #2016-049-WV:** Violation of Wetlands Permit pursuant to 13.3.1(b) of the Inland Wetlands and Watercourses Regulations of the Town of Ridgefield for activities on a site where no permit has been issued, for a violation resulting from activities and operations adjacent to, within or in any way affecting regulated wetlands on Bennetts Farm Road (Lot E06-0017). *Owner: Stephen J. Courtney. Cease & Desist Order issued May 16, 2016. Hearing held 5/24/2016. For discussion and Confirmation of Order.*

Also Present: Attorney Thomas Beecher
Ms. Beth Peyser, Inland Wetlands Agent
Mr. Stephen Courtney, Owner

The Commission acknowledged that the preliminary survey map submitted by the applicant's engineer, Mr. Frank Fowler did not show that the currently filled area encroached into the wetlands but the fill was deposited in the upland review area and a flood plain area without a permit which was the core of the Order to Cease and Desist.

Mr. Courtney stated that he had no issues with removing the remainder of the material that he deposited without permits. Agent Brosius confirmed that Mr. Courtney's plan to build a stone wall along the road, to keep people from entering and dumping on the property, would not require further permits. The Board focused on a remediation plan identified as "Alternative #2" in the Agent's memorandum of 6/20/2016.

After a brief discussion, Chairman Mucchetti closed the Show Cause Hearing.

Vice Chairman Fossi motioned, Mr. Hanlon seconded to have Wetland Agents Brosius and Peyser draft a modification to the Order of Cease and Desist based on the Show of Cause Hearing as follows:

- **The existing fill must be pulled back and completely removed for a distance of 20 feet from the currently installed silt fence, graded and sloped for an additional 20 feet toward the front of the property and stabilized with vegetation. The survey map prepared by Mr. Frank Fowler, PE should be completed to show the 100 year flood line in accordance the Town's most recent FEMA mapping, and fill within**

any 100 year floodplain must be removed. In addition, Mr. Frank Fowler, PE must submit a written statement of compliance and an as-built survey of the above work described. When that work is complete, no further filling, grading, storage or processing of materials may occur on the property without proper permits.

- A stonewall may be built adjacent to the road right-of-way.

Motion carried 8-1. Mr. Dunphy opposed.

NEW ITEMS

3. **#2016-064-SR:** Summary Ruling under Sec. 7.5 of the Inland Wetlands and Watercourses regulations to permit the redirection of an existing piped intermittent stream into a newly constructed catch basin within the Town Right-of-Way at **14 Twopence Road** in the RAAA zone. *Owner: Michael G. Harmon. Applicant/Authorized Agent: Dean P. Pushlar, ASLA. For receipt and scheduling of walk.*

Mr. Hanlon motioned, Mr. Chipouras seconded to receive the above Summary Ruling application and to scheduled a Board walk for 6/26/16. Motion carried 9-0.

BOARD WALKS

Scheduled:

- **#2016-064-SR:** Summary Ruling, **14 Twopence Road**, *Michael G. Harmon*

The above Board walk was scheduled for June 26, 2016.

REQUESTS FOR BOND RELEASES/REDUCTION

WETLANDS BONDS

- **#98100-S-SR: Barrack Hill Road / Chelsea Estates (Dan Valentine) / Accessway and E&S:** \$4,118 surety bond for wetlands activity. *Acknowledge completion of work, release and expiration of Surety Bond.*
- **#2005-017-SR: 57 Silver Hill Road / Norvel Hermanovski / Wetlands Permit Site Work:** \$2,000 cash bond posted for site work related to driveway construction and wetlands. Inspected by IWA. *Recommend full release.*
- **#2006-050-PD: 311 Peaceable Street / Pond Dredging with Landscaping:** \$2,000 cash bond posted for landscaping in conjunction with pond dredging permit. Inspected by IWA. *Recommend full release.*
- **#2007-115-WV: 80 Spring Valley Road / Wetlands Mitigation & URA Restoration:** \$6,600 remaining cash bond for restoration and mitigation

plantings. Rich Szentkuti Property (formerly Jeanne Timpanelli). Inspected by IWA. *Recommend full release.*

- **#2012-059-SR: Acre Lane, Parcel B / Site Stabilization Landscaping:**
Adjacent to Wetlands: \$5,000 cash bond posted for mitigation plantings adjacent to wetlands (sign-off on new home permits occurred in winter months, plantings installed when weather permitted). Work is complete and has been inspected. *Recommend full release.*
- **2013-048-PR-AH: 86 Governor Street / Wetlands Mitigation Plantings:**
\$12,000 cash bond posted for mitigation plantings as per wetlands permit approval. Letter received from Jane Didona, PLA, ASLA, stating the status of plantings (see attached). *Recommend full release.*

Mr. Hanlon motioned, Vice Chairman Fossi seconded to approve the release of five cash bonds and one surety bond as recommended, Motion carried 9-0.

CORRESPONDENCE

There was no correspondence.

MINUTES

For Approval:

Mr. Katz motioned, Mr. Hanlon seconded to approve the Meeting Minutes for June 07, 2016 as amended. Motion carried 6-0-3. Mr. Dunphy, Mr. Fossi and Mr. Zeck abstained.

For Distribution:

There were no Meeting Minutes to distribute.

PUBLIC HEARINGS

June 28, 2016:

- **(Continued) #2016-012-REZ-SP-SR:** Summary Ruling application, **509 Main Street, 509 Main Street, LLC.**

Hearing no further discussion, the Chairman adjourned the meeting at 9:35 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary

APPROVED / REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

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

June 21, 2016

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

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

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

At 9:35 PM Chairman Mucchetti called the meeting to order.

PENDING ITEMS

1. **#2016-025-SP-FP-SR:** (1) Special Permit Application under Section 9.2.A.7 of the Town of Ridgefield Zoning Regulations per Section 3.3.D.1 for approval of an existing accessory dwelling unit above a garage, and (2) Site Plan Application for Flood Plain Development under Section 11.5 for the approval of prior grading and filling and shed construction within the flood plain on 1.39± acres at **4 Wooster Street** in the RAA zone. *Statutorily received on 3/8/2016. Public hearing held 04/19/2016 and 5/24/2016. 35 days to close public hearing 05/24/2016. 28 day extension provided until 6/21/2016. 65 days for a decision 08/25/2016. For discussion and decision.*

Mr. Katz motioned, Mr. Cole seconded to approve the above Special Permit application for accessory dwelling unit, as presented and as a Final Resolution with standard conditions. Motion carried 9-0.

Mr. Katz motioned, Mr. Chipouras seconded to approve a modified/revised Site Plan application to remove fill deposited after 1982, as a Final Resolution with the following conditions:

- All “new” fill deposited after 1982 and the shed located within the 100-year floodplain must be removed in accordance with the remediation plans presented by Ms. Kate Throckmorton, LA, Environmental Land Solutions, including the implementation of mitigation plantings.
- Fill is to be removed in dry periods between July and October, and planting must be installed by November 1, 2016.
- The shed within the 100-year floodplain must be removed no later than January 1, 2017.

Motion carried 9-0.

2. **#2016-029-A:** Proposed amendments to Section 3.3.C.2 and Section 3.3.D.1 of the Town of Ridgefield Zoning Regulations to (1) vacate language for the age restriction on site plan approvals, for accessory dwelling units whose occupants are 55 years of age or older (Senior Occupancy Incentive) and (2) provide the Planning Director authority to issue site plan approval for any accessory dwelling unit equal to or less than 900 sq. f.t that meets all zoning requirements. *Distributed 03/22/2016. Commission Initiated. For discussion and decision.*

Mr. Katz motioned, Ms. Masters seconded to adopt the draft Proposed Amendment to the Zoning Regulations, Accessory Dwelling Units dated 4/5/16 and revised 4/8/16. Motion carried 9-0.

3. **#2016-039-A:** Proposed amendment to Section 3.2.C.15 to remove provisions allowing increased lot coverage for existing single-family residences on residential parcels of less than two acres (140% Rule). *Distributed 4/12/2016. Commission Initiated. For discussion and decision.*

Mr. Katz motioned, Mr. Cole seconded to adopt the draft Proposed Amendment to the Zoning Regulations, Special Permit Uses in the Residential Zones dated 4/11/16. Motion carried 9-0.

NEW ITEMS

4. **#2016-062-SP:** Special Permit Application under Section 9.2 per Section 3.2.2 of the Town of Ridgefield Zoning regulations for the construction of an art storage building, attached to existing residential structure, with scheduled visits from the public on ±16.72 acres at **200 Chestnut Hill Road** in the RAAA zone. *Owner: Maurice Sendak Foundation. Applicant/Authorized Agent: C.V. Building Concepts (Richard Szentkuti). Statutorily received 6/14/16. Acknowledge receipt, and scheduling of public hearing on July 5th, and schedule walk.*

For the record, Mr. Katz was recused.

Mr. Cole motioned, Mr. Hanlon seconded to acknowledge the statutory receipt of the above Special Permit application on 6/14/16, to schedule the

**Commission walk for 6/26/16 and to schedule a Public Hearing for 7/5/16.
Motion carried 8-0-1. Mr. Katz was recused.**

5. **#2016-063-VDC:** Village District Application under Section 5.1.B of the Town of Ridgefield Zoning regulations for replacement of existing windows and entry doors at **3 Governor Street** in the CBD zone. *Owner: Fairfield County Bank. Applicant: Wayne Dimm Enterprises, Inc. For receipt and action.*

Mr. Katz motioned, Vice Chairman Fossi seconded to approve the above Village District application as presented (reviewed with no recommended changes by the VDC), and as a Final Resolution with standard conditions. Motion carried 9-0.

6. **#2016-065-SP:** Special Permit Application under Section 9.2 per Section 3.2.2 of the Town of Ridgefield Zoning regulations for the conversion of an existing residence into a museum, with a visitors center and administrative office, in addition to minor site work on ± 1.12 acres at **152 Main Street** in the RA zone. *Owner/ Applicant: The Keeler Tavern Preservation Society, Inc. Authorized Agent: Robert R. Jewell, Esq. For receipt, scheduling of walk, and scheduling of public hearing.*

Mr. Chipouras motioned, Ms. Masters seconded to receive the above Special Permit application, to schedule a Commission walk for 6/26/16 and to schedule a Public Hearing for 7/12/16. Motion carried 9-0.

Mr. Chipouras motioned, Vice Chairman Fossi seconded to add the following Item #7 to the Agenda. Motion carried 9-0.

7. **#2006-077-REV:** Modification to Proposed Cabin Size/Sturges Park, **217 Rippowam Rd.**, Owner: Sturges Brothers

Chairman Mucchetti noted the memorandum of 6/14/16 by Planner Brosius and her request for administrative approval of the proposed change to allow the cabin to be 800 sf larger than originally proposed with a porch on three sides of the building, where the original porch was on two sides.

Vice Chairman Fossi motioned, Ms. Masters seconded to approve the Planner handling the above Item #7 administratively. Motion carried 9-0.

COMMISSION WALKS

Scheduled:

- **#2016-062-SP:** Special Permit, **200 Chestnut Hill Road**, Maurice Sendak Foundation
- **#2016-065-SP:** Special Permit, **152 Main Street**, The Keeler Tavern Preservation Society, Inc

The above two Commission walks were scheduled for June 26, 2016.

June 26, 2016

- **#2016-058-REV (SP):** Revision to the Special Permit, **709 Danbury Road**, Ridgefield Showcase, LLC.
- **#2016-059-REV(SP) SR:** Revision to the Special Permit, **900 Ridgebury Road**, Boehringer Ingelheim LTD

REQUESTS FOR BOND RELEASES/REDUCTION

PLANNING AND ZONING BONDS

- **#9045-S: Subdivision for Loretta W. Fairbanks / Lot #2, Blackman Road / Accessway, E&S:** \$10,000 Surety Bond posted for accessway construction and E&S. Project has been completed for over 25 years. *For the record, acknowledge completion of work and expiration of surety bond.*
- **#9563-SP: 8 Grove Street / Nursery School / Danielle Hampton / Site Work for Parking Lot:** \$6,500 Surety Bond posted for completion of site work for nursery school. Building has now been converted to apartments. *Acknowledge completion of work, release and expiration of surety bond.*
- **#9773-S: Peaceable Ridge Road / Peaceable Ridge Subdivision / MasterBuilders, Inc. / Accessway:** \$22,000 bond for accessway at 179 Peaceable Ridge Road and \$2,900 bond for E&S, for a 3-lot subdivision. Work is complete and home is occupied. *Recommend full release.*
- **#9838-R: 34 Catoonah Street / Neeley Subdivision / Accessway:** \$1,000 Surety Bond posted for accessway construction. *Acknowledge completion of work, release and expiration of surety bond.*
- **#9852-S: 679 Danbury Road / Commercial Building / PST Properties LLC / Site Work:** \$37,700 Village Bank Irrevocable Letter of Credit has expired. \$2,300 statement savings account for E&S was closed. Work is complete. *Acknowledge completion of work, release and expiration of ILC and Statement Savings for bond amounts.*
- **#9448-S: Lia Fale Subdivision (Girolametti / Conley Court / Accessways:** \$16,500 and \$13,500 Letters of Credit posted for two accessways. *Acknowledge completion of work, release and expiration of ILCs.*
- **#98100-S-SR: Barrack Hill Road / Chelsea Estates (Dan Valentine) / Accessway and E&S:** \$3,720 Surety Bond for E&S, and \$47,420 Surety Bond for Accessway. *Acknowledge completion of work, release and expiration of Surety Bonds.*

- **#98120-SP: 66 Grove Street / Fitness Center / Site Work:** \$30,000 and \$13,000 Letters of Credit posted for site work in connection with renovation of former Digitech into fitness center. *Acknowledge completion of work, release and expiration of ILCs.*
- **#9956-PRD-SR-S: Old Branchville Road / Paolini Subdivision for Ridgebury Homes / Accessway:** \$19,500 and \$15,500 surety bonds posted for accessway construction and bridge, \$825 for E&S. (Thomas Jones) *Acknowledge completion of work, release and expiration of bonds.*
- **#20104-SP: 845 Ethan Allen Highway / Voicestream Wireless Corp. / Cell Tower Construction:** \$75,000 Surety Bond posted for cell tower construction. Project complete. *Acknowledge completion of work, release and expiration of bond.*
- **#2007-020-SP: 46-50 Danbury Road / Walgreens / Site Work Bond:** \$480,000 Letter of Credit posted as bond for site work completion. *Acknowledge completion of work, release and expiration of ILC.*
- **#2010-100-SP-SR: 746 Danbury Road / Ridgefield Waterside Properties / BMW of Ridgefield / Site Work:** Irrevocable Letter of Credit posted for site construction. Project is complete, ILC has expired. *For the record, acknowledge completion of work, release and expiration of ILC.*
- **#2012-082-SR-AH: 24 North Street 8-30g Affordable Housing / Ridgefield Modular Home Corp.: Landscaping:** \$3,000 bond posted for landscape maintenance. Landscaping has been maintained for over a year. *Recommend full release.*

Ms. Masters motioned, Mr. Cole seconded to approve the release the above cash bonds, surety bonds and letters of credit as recommended. Motion carried 9-0.

CORRESPONDENCE

Chairman Mucchetti noted the following pieces of correspondence.

1. A memorandum dated 6/21/16 from Planner Brosius to First Selectman Marconi regarding the 30-acre former Schlumberger Parcel, with comments on access and permits required for proposed uses.
2. A memorandum dated 6/20/16 from Mr. Michael Eppoliti regarding 7-9 North Salem Road, and a plan to shift the proposed building a few feet to the west.
3. Plaintiff's Brief dated 6/20/16 in the matter of Regency Homeowners v. Town of Ridgefield PZ Commission and Larry Leary Development.

MINUTES

For Approval:

Mr. Chipouras motioned, Mr. Cole seconded to approve the Meeting Minutes for June 07, 2016 as amended. Motion carried 6-0-3. Mr. Dunphy, Mr. Fossi and Mr. Zeck abstained.

For Distribution:

There were no Meeting Minutes to distribute.

PUBLIC HEARINGS

Scheduled:

- **#2016-062-SP:** Special Permit Application, **200 Chestnut Hill Road**, *Owner: Maurice Sendak Foundation.*

The above Public Hearing was scheduled for July 5, 2016.

- **#2016-065-SP:** Special Permit Application, **152 Main Street**, *Owner/ Applicant: The Keeler Tavern Preservation Society, Inc.*

The above Public Hearing was scheduled for July 12, 2016.

June 28, 2016:

- **#2016-057-A:** Amendment/memory care facilities. *Commission Initiated.*
- **(Continued) #2016-012-REZ-SP-SR:** Special Permit, **509 Main Street**, 509 Main Street, LLC.

July 05, 2016:

- **#2016-060-A:** Amendment, Units Per Acre Increase in **Branchville Village**, Robert R. Jewell, Esq.

Hearing no further discussion, the Chairman adjourned the meeting at 9:38 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary

APPROVED / REVISED
MINUTES
AQUIFER PROTECTION AGENCY

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Rebecca Mucchetti, Chairman
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Also Present: Betty Brosius, Director of Planning
Joanne Meder, Director of Planning
Adam Schnell, Assistant Planner
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Inland Wetlands and Planning and Zoning Public Hearings were held prior to the Inland Wetland Meeting.

At 9:38 PM Chairman Mucchetti called the meeting to order.

PENDING ITEMS

There were no pending items.

NEW ITEMS

There were no new items.

CORRESPONDENCE

There was no correspondence.

MINUTES

For Approval:

Mr. Katz motioned, Mr. Cole seconded to approve the Meeting Minutes for March 15, 2016 as presented. Motion carried 9-0.

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

Respectfully Submitted,

Lise B. Read
Recording Secretary