

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING

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

February 11, 2020	Present:	Susan Consentino Joseph Dowdell Joseph Fossi George Hanlon Robert Hendrick John Katz Rebecca Mucchetti, Chair Ben Nneji Charles Robbins, Vice Chair
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Also Present: Richard Baldelli, Director, Planning and Zoning, ZEO
Karen Martin, Assistant Town Planner
Eileen White, Recording Secretary

The Chair called the Meeting to order at: 7:00 p.m. Ms. Mucchetti gave an overview of the meeting and the agenda order. She emphasized that each person at the Meeting was entitled to courtesy and respect.

Item I: (Contd.) #2019-076-AH: Affordable Housing application under Section 8-30g of the Connecticut General Statutes (Affordable Housing) to construct a Multi-family development with nine (9) units, With three (3) units to be deed restricted as affordable for a property consisting of \pm 1.17 acres located at **Turner Road & Barnum Place (Assessor's ID B01-0002)** in CDD Zone. *Statutorily received on November 26, 2019. Site walked on December 08, 2019. 35 days to close a public hearing is February 18, 2020. Owner/Applicant: Black Oaks, LLC. Authorized Agent: Brian R. Smith, Esq., Robinson & Cole, LLP.*

There was no need to re-read the legal notice, as it had been read at the January 14, 2020 Public Hearing.

The Chair entered into the Record the following list of correspondence received since the January 14, 2020 Public Hearing:

- A survey map by P.A.H., Inc., Received January 17, 2020;
- An e-mail with résumé from Gloria Driscoll, dated January 21, 2020;
- Revised plans by CCA, dated January 31, 2020;
- An aerial photo exhibit by CCA showing site lines, dated January 20, 2020;
- An aerial exhibit photo by CCA showing surrounding areas, dated January 20, 2020;
- Snow storage plan by CCA, dated January 31, 2020;

- CCA's response to Peer Review Engineering Report, dated January 31, 2020;
- CCA's response to Peer Review Landscaping Report, dated January 31, 2020;
- CCA's response to Public Hearing comments, dated January 31, 2020;
- A copy of Robinson & Cole's letter to the Board of Selectmen regarding the Turner Road Maintenance Agreement Application, dated February 7, 2020;
- Comments from the Conservation Commission, dated February 10, 2020;
- An e-mail in opposition from Sanjay Tripathy, dated February 10, 2020;
- Final Peer Review comments from Chris DeAngelis, dated February 10, 2020; and
- An e-mail from the Fire Marshall in support of the proposed plan, dated January 15, 2020.

Mr. Brian Smith, Attorney for the Applicant, presented the revisions to the Application since the January 14, 2020 Public Hearing. He placed into the Record the required proof of legal notices to the abutting neighbors, including Bullimo. He stated that all on the applicant's team shared the common concerns about health and safety expressed by the public's questions and comments from the last Public Hearing. Mr. Smith also conveyed that all the utilities are available and that the site is not near an upland review area.

Mr. Michael Stein, Architect, presented the design plans, which now include one two-bedroom unit that provides accessible routes throughout the unit and a type B bathroom and type B kitchen. At the request of the tenant, a stairlift will be provided from the garage level to the third floor of the unit.

Commissioner Katz asked about the sprinkler system being installed that was not required, but handicapped and senior citizen accessibility were not being accommodated. Mr. Stein cited Connecticut's requirements that a less than 10-unit project, does not have to include accessible units. Mr. Smith placed into the Record Mr. Stein's letter and résumé.

Mr. Steve Sullivan, Project Engineer, presented the revised site plans, which included changes to the Stormwater Management System and the addition of a maintenance area.

Questions from Commissioners included drainage, the height of the exterior lighting and how many truck trips were to take place. Mr. Sullivan submitted correspondence to answer fire safety concerns into the Record.

Mr. Joseph Balskus, Licensed Professional Engineer and Professional Traffic Operations Engineer, presented the traffic count for a typical day during the week. The count was taken on January 23, 2020 and he stated that a lot less vehicles were counted than had been predicted.

Mr. Smith entered into the Record the résumés of Messrs. Balskus and Sullivan.

Mr. Baldelli asked Mr. Smith if he had received anything from the Board of Selectmen to submit into the Record regarding the ability of the Applicant to use Turner Road. Mr. Smith said that he had not received anything from the Board of Selectmen, but he had submitted materials to them. Mr. Smith said he had been told that there was no dispute with Turner Road. He added that it is a public road and, like all public roads, could be used for access to the development.

Mr. Smith stated that Black Oaks LLC is willing to enter into a Roadway Agreement to maintain Turner Road and have new sidewalks on Town property, but at Black Oaks' expense.

Mr. Chris DeAngelis, Professional Engineer, presented the Peer Review. He stated that Mr. Sullivan had done a good job in addressing his concerns. His presentation included conveying that the proposed site plans added more water storage volume, which will greatly reduce the peak flow rates.

Mr. Baldelli asked Mr. DeAngelis a two-phased question: Is the Sediment Erosion Control Plan robust enough to handle any negative impact off premises? And, if the proposal goes through, is the Stormwater Management Plan robust enough to handle negative impact off premises? Mr. DeAngelis said that the plans were robust enough.

Public comments and questions were noted from the following:

Ms. Jamie Ragan-Wiener
Mr. J.R. Suppa
Mr. Harold Moroknek
Ms. Kavita Vel
Ms. Ann Blood
Mr. Andrew Wiener
Ms. Gloria Driscoll

The Chair stated that the Fire Marshall has reviewed the plans and has said that the emergency vehicle access plan is adequate.

Mr. Smith entered into the Record the signed letter stating that the Applicant is willing to extend the Public Hearing to March 3, 2020.

Among her comments, Ms. Driscoll raised points about fire safety, school bus flow, snow and ice removal, biodiversity and the endangered species present. She submitted a map of the biodiversity into the Record.

Mr. Smith started his closing remarks with having the crosswalk further addressed. Mr. Balskus stated that the crosswalk design meets the values set by the Connecticut Highway Design Manual.

Mr. Smith gave his closing remarks about the application as an Affordable Housing Application, designed to bring more affordable housing to the Town. He asked for any additional comments from the Commission that could be addressed at the March 3, 2020 Public Hearing that are germane to zoning such as traffic and architecture.

Concerns from the Commission for the Applicant included: having more data points regarding traffic, the application not being designed for aging residents and the handicapped, and not being comfortable with the Fire Marshall's comment regarding fire of safety.

The Public Hearing was Continued to: March 3, 2020.

The Public Hearing adjourned at: 9:55 p.m.

Item II: (Contd.) #2019-066-REV(SP): Revision to a Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for expansion of the parking lot, including landscaping, retaining walls and per Section 7.5. D.5 to use a crusher for a property located at **Assessor's ID E15- 0191** in a RA Zone. *Statutorily received on September 24, 2019. Site walked on November 10, 2019. Public hearing opened on November 12, 2019. 35 days to close a public hearing was December 17, 2019. Extension of 28 days was granted to continue until January 15, 2020. Another extension of 30 days was granted to continue public hearing until February 14, 2020. 7 days left out of total 65 days of extension. Owner/Applicant: Town of Ridgefield. Authorized Agent: Jacob Muller.*

There was no need to re-read the legal notice, as it had been read at the November 12, 2019 Public Hearing.

The Chair entered into the Record the following list of correspondence received since the November 12, 2019 Public Hearing:

- Wetlands Mitigation Plan, dated January 21, 2020;
- Revised Plans, dated January 27, 2020;
- Photometric Plan, dated January 30, 2020;
- Adopted Inland Wetland Board Approval, dated January 31, 2020;
- Proposed Lighting Specs, received January 31, 2020;
- Letter from Jake Miller, Director of Facilities to Richard Baldelli, Director of Planning and Zoning and Zoning Enforcement Officer, dated January 31, 2020; and
- Revised Staff Report with attachments, dated February 6, 2020.

Mr. Jacob Muller, Director of Facilities, Town of Ridgefield, presented the Application which is in its seventh revision since it was initiated in 2018. He stated that full design plans have been done for drainage, lighting and landscaping.

The original request for expansion of the Governor Street Parking Lot of 66 parking spaces has been reduced to 38 new spaces via the approval process. The Inland Wetland Board has approved the plans being discussed by the Commission this evening.

Ms. Mucchetti stated that the Town had submitted the proposal at the beginning of October 2019. The Commission was advised by Counsel to submit the wetland part of the application to the new Inland Wetland Board. In order to do so, the applicant had to provide multiple extensions and all have been used. The Commission is being asked to review the application and render a decision at this meeting or to schedule a special meeting within in the next 7 days to meet the timeline as required by Connecticut State statute.

Mr. Steve Sullivan, Project Engineer, CCA presented the site plans. The photometrics had been presented.

Ms. Tessa Jucaite, Professional Engineer, acting as Review Engineer for the Town of Ridgefield had concerns about the 34 Bailey Avenue culvert and clarity of the map presented. Mr. Sullivan and Ms. Jucaite went over the October 29, 2019 Memorandum submitted by Ms. Jucaite where concerns such as Sediment Erosion Controls and Stormwater Management System were addressed. Mr. Sullivan and Ms. Jucaite will meet to discuss the details and calculations with respect to construction sequencing and drainage mapping.

Commission concerns included: guiderail materials, lighting and landscape screening.

The Staff Report was modified to reflect the lessening of parking spaces from the original proposal. It was stated that Staff is in favor of the request for rock crushing as it will cut down on truck trips.

The Chair stated that a letter from a member of the public in opposition to the proposal dated October 15, 2019 was re-distributed because of the new Commission members.

Public comment was received from Mrs. Regina Carey who expressed concerns about: the drainage from the new grading possibly causing more water in her yard (it was determined that Ms. Carey's property is significantly upgrade from the proposed project and will not be affected), safety for kids from the Boys and Girls Club going through her yard, screening, and lighting. She also stated that there are many unusual wildlife in that neighborhood and she appreciated that this application had gone to the Inland Wetlands Board.

The Town's historic drainage system was also discussed.

Mr. Sullivan stated that the retention system provided in the plan will reduce peak flows from this site and the Bailey Avenue culvert. The plans also provide for the reduction of off-site flows.

Mr. Muller said that a construction fence would be put up for safety during construction. He stated that a wildlife assessment was done by Ms. Kate Throckmorton for the wetlands application and that there would be no significant impact to the regulated areas. This was submitted with the materials provided for the Inland Wetland Board review.

Ms. Jucaite that this involves a huge watershed, which is why she was asking for detailed calculations. Mr. Sullivan stated how he developed his maps.

Mr. Baldelli stated that Mr. Sullivan and Ms. Jucaite's concerns were not that far apart. Any approval at this meeting could be subject to review and confirmation by Ms. Jucaite.

Commissioner Consentino asked about the screenage for the Boys and Girls Club. Mr. Sullivan explained that the existing trees were being kept.

The Public Hearing adjourned at: 10:49 p.m.

Item III: #2019-080-SP: Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations, for exterior renovations to accommodate automated car wash within the existing building for a property located at 115 Danbury Road in the B-1 Zone. *Statutorily received on December 17, 2019. Site walked on January 26, 2020. 35 days to close a public hearing is March 17, 2020. Owner: 115 Danbury Road Associates LLC. Applicant: Ridgefield Fuel Associates. Authorized Agent: J Casey Healy, Esq.*

The Public Hearing was opened.

The legal notice was read by Mr. Baldelli.

At the request of the Applicant, the Public Hearing was continued to March 3, 2020.

The Public Hearing was Continued to: March 3, 2020.

Hearing no further discussion, the Chair adjourned the Meeting at: 10:51 p.m.

Respectfully submitted,

Eileen White

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MINUTES
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Also Present: Richard Baldelli, Director, Planning and Zoning, ZEO
Karen Martin, Assistant Town Planner
Eileen White, Recording Secretary

The Chair called the Meeting to order at: 10:51 p.m. Item Number 2 under New Items on the Agenda was discussed and voted on first. Then, Item Number 1 under Pending Items was discussed, followed by the original agenda.

PENDING ITEMS

1. IF PUBLIC HEARING IS CLOSED: #2019-076-AH: Affordable Housing application under Section 8-30g of the Connecticut General Statutes (Affordable Housing) to construct a Multi-family development with nine (9) units, With three (3) units to be deed restricted as affordable for a property consisting of \pm 1.17 acres located at **Turner Road & Barnum Place (Assessor's ID B01-0002)** in CDD Zone. *Statutorily received on November 26, 2019. Site walked on December 08, 2019. Public hearing opened on January 14, 2020. 65 days to render a decision is April 16, 2020. Owner/Applicant: Black Oaks, LLC. Authorized Agent: Brian R. Smith, Esq., Robinson & Cole, LLP. For discussion and possible action.*

The Public Hearing was Continued to: March 3, 2020.

2. IF PUBLIC HEARING IS CLOSED: #2019-066-REV(SP): Revision to a Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for expansion of the parking lot, including landscaping, retaining walls for a property located at **Assessor's ID E15-0191** in a RA Zone. *Statutorily received on September 24, 2019. Site walked on*

November 10, 2019. 65 days to render a decision is April 16, 2020. Owner/Applicant: Town of Ridgefield. Authorized Agent: Jacob Muller. For discussion and possible action.

Mr. Katz motioned, Mr. Fossi seconded, to approve with conditions of construction sequence and watershed analysis being included in the Resolution of Approval. Motion carried 7-2 as a Final. Mr. Robbins and Ms. Consentino voted against the motion. Effective Date: February 28, 2020.

- 3. IF PUBLIC HEARING IS CLOSED: #2019-080-SP:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations, for exterior renovations to accommodate automated car wash within the existing building for a property located at 115 Danbury Road in the B-1 Zone. *Statutorily received on December 17, 2019. Site walked on January 26, 2020. 65 days to render a decision is April 16, 2020. Owner: 115 Danbury Road Associates LLC. Applicant: Ridgefield Fuel Associates. Authorized Agent: J Casey Healy, Esq. For discussion and possible action.*

The Public Hearing was Continued to: March 3, 2020.

- 4. #2019-072-SP:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations, per 3.2.C.12 to use the premises as Bed and Breakfast for a property located at **114 Main Street** in RA Zone. *Statutorily received on October 29, 2019. Site walked on November 10, 2019. Public hearing closed on January 28, 2020. 65 days to render a decision is April 2 2020. Owner: Douglas & Laurice Haynes. Applicant: Baciklee Jane, LLC. Authorized Agent: Robert R. Jewell, Esq. For approval of Draft Resolution.*

Mr. Hendrick motioned, Mr. Robbins seconded, to approve as presented and modified. Motion carried 9-0. Effective Date: February 28, 2020.

NEW ITEMS

- 1. WITHDRAWN: #2019-075-RESUB:** An application for 4-lot Re- Subdivision of land under Section 7.5 of the Ridgefield Subdivision regulations for a property consisting of ± 11.305 acres located at **805 North Salem Road** in the RAA zone. *Statutorily received on November 12, 2019. Site walked on December 08, 2019. 65 days to render a decision is March 19, 2020. Owner: Dikran Janus Kadagian and Deborah Kadagian. Applicant: Ashlar Historic-Renovation LLC. Authorized Agent: Robert R. Jewell. Esq. Acknowledge the withdrawal of Application.*

Mr. Fossi motioned, Mr. Hanlon seconded, to acknowledge Withdrawal. Motion carried 9-0.

- 2. #2020-003-VDC:** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for a blade sign “Moving Supply” on a building for a property located at **32 Bailey Avenue** in the CBD district. *Owner: Joseph Mulvaney. Applicant: Ezra Zimmerman. For receipt, discussion and possible action.*

Mr. Fossi motioned, Mr. Hanlon seconded, to approve as presented and recommended by the VDC. Motion carried 9-0. Effective Date: February 28, 2020.

- 3. #2020-004-VDC:** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for two signs: projecting and rear sign for a restaurant “ The Lantern” on a building for a property located at **378 Main Street** in the CBD district. *Owner: 378 Main Street Ridgefield LLC. Applicant: Urban Works LLC; Christopher Curnan. For receipt, discussion and possible action.*

Mr. Fossi motioned, Mr. Hendrick seconded, to approve as presented and recommended by the VDC. Motion carried 9-0. Effective Date: February 28, 2020.

COMMISSION WALKS

None scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

None.

CORRESPONDENCE

- Letter regarding **115 Danbury Road**

MINUTES

For approval: January 28 & February 04, 2020

Planning and Zoning Commission Public Hearing, January 28, 2020

Mr. Fossi motioned, Mr. Hanlon seconded, to approve as amended. Motion carried 9-0.

Planning and Zoning Commission Meeting, January 28, 2020

Mr. Fossi motioned, Mr. Hanlon seconded, to approve as amended. Motion carried 9-0.

Mr. Katz left the Meeting Room at: 11:03 p.m.

Planning and Zoning Commission Meeting, February 4, 2020

Mr. Fossi motioned, Mr. Robbins seconded, Mr. Hendrick abstained, Mr. Katz was absent, to approve as amended. Motion carried 7-0-1.

For distribution:

PUBLIC HEARINGS

February 11, 2020

- **(Contd.)#2019-076-AH:** Affordable Housing Application, Turner Road & Barnum Place, *Black Oaks, LLC*.

- **(Contd.)#2019-066-REV(SP):** Revision to Special Permit, Governor Street Municipal Lot, TOR
- **#2019-080-SP:** Special Permit Application, 115 Danbury Road, Ridgefield Fuel Associates

PUBLIC HEARINGS

March 3, 2020

- **(Contd.)#2019-076-AH:** Affordable Housing Application, Turner Road & Barnum Place, *Black Oaks, LLC*.
- **#2019-080-SP:** Special Permit Application, 115 Danbury Road, Ridgefield Fuel Associates

Hearing no further discussion, the Chair adjourned the Meeting at: 11:08 p.m.

Respectfully submitted,

Eileen White