

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

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

November 13, 2018

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

Recused: Robert Cascella

Also Present: Thomas Beecher, Inland Wetland Board/Planning and Zoning Commission Counsel
Richard Baldelli, Director of Planning and Zoning
Beth Peyser, Inland Wetlands Agent/Conservation Enforcement Officer
Daniel Robinson, Assistant Planner
Aarti Paranjape, Office Administrator

At 7:00 P.M., Chair, Ms. Mucchetti called the meeting to order.

Ms. Mucchetti stated that the separation of Inland Wetlands Board and Planning & Zoning Commission will be in effect beginning November 2019, when the new board will be elected. Ms. Mucchetti gave an overview of the evening's continued combined, Inland Wetlands Board and Planning & Zoning Commission Public Hearing presentation, and announced additional Public Hearings on this matter on the following dates: 11/27/2018, 11/29/2018 and 12/12/2018. The Public Hearings will all be held at the East Ridge Middle School Auditorium and will begin at 7 pm.

The Chair noted that the following correspondence/documentation had been received since the October 30, 2018 Public Hearing:

- 1. 8 additional letters (bringing the total to 488)**
- 2. Letter from Atty Peter Olson**
- 3. Memo from Town Sanitarian, Mr. Gagnon**
- 4. Email from project engineer Joe Canas forwarded by the Health Department**
- 5. Letter from Aquarion Water Company**

For the record item II of Planning and Zoning Commission Public hearing was opened first followed by continuation of Public Hearing for the Inland Wetlands Board and Planning & Zoning Commission.

Mr. Katz motioned, Mr. Robbins seconded to waive the reading of the Legal notice. Motion carried 7-0.

PLANNING AND ZONING COMMISSION

- Item II:** **#2018-075-SP:** Special Permit application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.4.D.1 for exterior lighting on the poles which exceed fourteen feet (14) in height for the property located at **340 Peaceable Street** in the RAAA Zone. *Statutorily received on October 23, 2018. Public hearing held on November 13, 2018. 35 days to close a public hearing is December 18, 2018. Owner: Peaceable LLC. Applicant: Rising Ridge Inc. Authorized Agent: Robert R. Jewell, Esq.*

INLAND WETLANDS BOARD

- Item I:** **(Continued) #2018-053-PR-SP:** Plenary Ruling Application under Section 7.6 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations to construct a Private Winter Club “Ridgefield Winter Club” for activities in the upland review area and in inland wetland or watercourses for a property consisting of +/- 5.966 acres located at **340 Peaceable Street** and within the adjacent Town of Ridgefield Right-of-way in the RAAA Zone. *Statutorily received on July 24, 2018. Public hearing held on September 04, 2018. 35 days to close a public hearing is October 09, 2018. Owner: Peaceable, LLC. Applicant: Rising Ridge Inc. Authorized Agent: Philip Doyle of LADA, PC.*

PLANNING AND ZONING COMMISSION

- Item I:** **(Continued) #2018-053-PR-SP:** Special Permit application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.2.C.3 for a Recreational Use – a private club “Ridgefield Winter Club” and per Section 3.4.D.1. Illuminated Outdoor Recreation facility and Section 7.5. Excavation, filling and grading, and use of portable crusher and screener for the property consisting of +/- 5.966 acres located at **340 Peaceable Street** in the RAAA Zone. *Statutorily received on July 24, 2018. Public hearing held on September 04, 2018. 35 days to close a public hearing is October 09, 2018. Owner: Peaceable, LLC. Applicant: Rising Ridge Inc. Authorized Agent: Philip Doyle of LADA, PC.*

Atty Jewell presented the Special permit application for the exterior lights on the poles which exceed fourteen (14) feet in height. He said the application does not have any new information other than what was submitted during the initial application for the same property. The Special permit as per Section 7.8.C.8.b. was required since the exterior lights exceed the fourteen feet height requirement in the regulations.

Atty Jewell requested the Commission to combine the special permit application with the continued Inland Wetlands Board and Planning and Zoning Commission public hearing for the same property. The Commission granted the request.

Atty Jewell addressed the comments raised by the peer review and by the intervenors Attorney, Mr. Olson. He presented the updated schedule for the ice rink, including the hours of operation for both

indoor and outdoor uses. He said the club will in operation from October to March, where no activity will happen during the months of April to September.

Joe Canas, PE, Tighe & Bond, presented the revised engineering plans. He presented the suggested modifications based upon the peer review comments. He included new measures for stormwater treatment, an infiltration system for the Zamboni building, bio filtration swales. He stated that the paint marking will be applied directly to the concrete slab and not the ice. He added that the water melted from the ice will not be discharged in the sub sewage system.

Kate Throckmorton, Environmental Land Solutions (ELS), addressed the peer review and intervenors comments. She added that no work will be performed in the wetlands area. Previously proposed work including rip rap line within the Mill River and removal of stump and leaf debris along steep slope in upland review area, has been eliminated.

Matthew Popp, professional Wetland Scientist, ELS, addressed the irrigation pool and the aspects of vernal pool stated by Dr. Klemens. He said that his calculations show that the irrigation pond is not a vernal pool since he found the presence of fish, and the pond does not dry out. He said there are no vernal pools on site and the construction will not disturb the existing irrigation pond.

Tom Ryder, senior biologist and certified Ecologist, LandTech Engineering, also added that the irrigation pond is permanent, has an outlet and has fish population and hence does not meet the physical criteria of the generally accepted definition of vernal pool. The presence of wood frog doesn't make it vernal pool as the irrigation pond does not meet the physical characteristics of the vernal pool.

Atty Jewell clarified, that the ice in the arena is cooled by refrigeration pipes as found in regular household refrigerator and not by ammonia as mentioned by the public during the previous public hearing.

Atty Jewell objected the motion to intervene. He responded to issues raised by the intervenors. He also submitted supplemental traffic report, sound and lighting comments.

Public comments were taken at 9:50PM.

Six people showed concerns the project will have on traffic, real estate, lighting and sound. One spoke in support of the project.

The Public Hearing was continued to 11/27/2018 at 7 pm.

Hearing no further discussion, the Chair adjourned the combined Public Hearing at 10:32PM.

Respectfully Submitted,

Aarti Paranjape