

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.

July 30, 2019 Present: John Katz
 Rich Vazzana
 Joseph Dowdell
 George Hanlon
 Mark Zeck
 Charles Robbins
 Joseph Fossi, Vice Chair
 Rebecca Mucchetti, Chair

Absent: Catherine Savoca

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

At 7:30 p.m. Chair Mucchetti called the meeting to order and gave the agenda order. To correct misinformation posted on social media, Ms. Mucchetti stated that the continued review of the applications on the agenda were following the statutory timeline mandated by the State for land use applications.

INLAND WETLANDS BOARD

Item I: (Contd.)#2019-045-REV(SP)-SR: Summary Ruling Application per Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations for activities within the upland review areas, located at **439 Silver Spring Road** in the RAA Zone.
Statutorily received on May 28, 2019. Site walked on June 23, 2019. Public hearing held at July 16, 2019. 35 days to close a Public hearing is August 20, 2019 Owner: Flat Rock Corporation (The). Applicant: Silver Spring Country Club, Incorporated (The). Authorized Agent: Robert R. Jewell, Esq.

PLANNING AND ZONING COMMISSION

Item I: (Contd.)#2019-045-REV(SP)-SR: Revision to a Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to construct a Maintenance Facility and a Paddle Tennis Facility and related site work, per Sec. 7.5 for associated excavation, screening, and rock crushing, and per Sec 3.2.C.3 for a modification to a

Special Permit to extend the paddle tennis season, for a property located at **439 Silver Spring Road** in the RAA Zone. *Statutorily received on May 28, 2019. Site walked on June 23, 2019. Public hearing held at July 16, 2019. 35 days to close a Public hearing is August 20, 2019. Owner: Flat Rock Corporation (The). Applicant: Silver Spring Country Club, Incorporated (The). Authorized Agent: Robert R. Jewell, Esq.*

There was no need to re-read the legal notice, since it was read on July 16, 2019. Combined review of the applications was approved on July 16, 2019.

The Chair entered into the Record the following documents having been received since the July 16, 2019 Public Hearing:

- Environmental Land Solutions (“ELS”) response to the Conservation Commission with vernal pool maps attached, dated July 22, 2019.
- ELS response to Environmental Peer Review with vernal pool maps attached, dated July 22, 2019.
- Revised mitigation planting plans prepared by ELS, dated July 22, 2019.
- Letter from Artel Engineering, Project Engineer, [date not cited].
- Response to Engineering Peer Review, dated July 22, 2019.
- Revised Engineering plans prepared by Artel Engineering, dated July 22, 2019.
- Photo rendering of the existing Maintenance Facility showing proposed activity, which is undated.
- Environmental Peer Review comments, dated July 29, 2019.
- E-mail from Attorney Jewell confirming applicant will re-locate the existing paddle tennis light fixtures.
- Cutsheet of a heating system for the Maintenance Facility, which is undated.

Mr. Robert Jewell, Attorney for the applicant, gave an overview of the updates to the application from the July 16, 2019 hearing.

Presentations were given by Peter Coffin, Project Architect, Dainius L. Virbickas, Project Engineer, and Kate Throckmorton, Landscape Architect, showing the updates to site and environmental plans based on the July 16, 2019 hearing and further comments from the various commissions and peer review.

Mr. Chris D’Angelis, Professional Engineer, gave the peer review presentation, which included a comment about the applicant looking to enclose the stockpile area and show a detail of that on the site plan.

There were no additions to Technical Correspondence, other than what was already discussed, at the July 16, 2019 public hearing.

Under staff comments. Mr. Baldelli stated that it is very important that the permanent outdoor storage area be clearly delineated on a plan, along with the detail of the barrier that is going to be used to encapsulate it. Also, he emphasized the importance for the Town and contractors to have a specific Construction Phasing Plan where the phases are defined as: 1) excavation; 2)

construction and 3) restoration. Mr. Baldelli also asked that the applicant show what they are requesting in terms of the existing paddle tennis facility and the hours of operation. Mr. Robinson asked whether the parking numbers had been reviewed and whether there was a chance of shared parking. Mr. Coffin said there was now going to be some shared parking.

Comments and questions from the public included concerns about the noise late at night and the parties that go on after the paddle tennis games are done. One suggestion of compromise was that the paddle tennis play be limited to: 8 a.m. – 9 p.m.

Mr. Steve Scala of the Silver Spring Country Club commented that the Club is not asking for more hours of operation than other clubs who are playing in a League.

Comments and questions from the Commissioners included clarifying the hours of operation and whether the warming hut is to be open all the time.

Mr. Jack Kace, Conservation Commission, commented that the amphibians might be affected by the construction noise. Ms. Throckmorton replied that there was no information on any effect.

Ms. Peyser added as a condition of approval suggestions from the letter from Ed Pawlak, Environmental Engineer.

Mr. Jewell concluded the presentation by stating, among his comments, that the 300 acre parcel would have 1.5 acres of permanent disturbance. He stated that all of the regulated activities are related to the restoration of the area around the discovered vernal pool.

The Public Hearing was closed at 8:55 p.m.

Commissioners Fossi and Robbins were recused from the 800 Ethan Allen application and left the Town Hall Annex public meeting room at 8:55 p.m.

INLAND WETLANDS BOARD

Item II: (Contd.)#2019-043-REV(SP)(SR): Revision to Summary Ruling Application per Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations to construct a self-storage facility with associated site work within the upland review area of wetlands at a property consisting of approximately 2.97 acres at **800 Ethan Allen Highway (Assessor's ID G10-0026)** in the B-2 Zone. *Statutorily received on May 14, 2019. Site walked on June 23, 2019. Public hearing held at July 09, 2019. 35 days to close a Public hearing is August 13, 2019. Owner: BBD LLC. Applicant: Saber Management LLC. Authorized Agent: Robert R. Jewell, Esq.*

PLANNING AND ZONING COMMISSION

Item II: (Contd.)#2019-043-REV(SP)(SR): Revision to a Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to construct a self-storage

facility within a locally defined aquifer at a property of approximately 2.97 acres and located at **800 Ethan Allen Highway (Assessor's ID G10-0026)** in the B-2 Zone. *Statutorily received on May 14, 2019. Site walked on June 23, 2019. Public hearing held at July 09, 2019. 35 days to close a public hearing is August 13, 2019.* Owner: BBD, LLC. Applicant: Saber Management LLC. Authorized Agent: Robert R. Jewell, Esq.

The Public Hearing began at: 9:00 p.m.

There was no need to re-read the legal notice, since it was read on July 9, 2019. Combined review of the public hearings was approved on July 9, 2019.

The Chair entered into the Record the following documents having been received since the July 9, 2019 Public Hearing:

- Architectural Advisory Committee ("AAC") Minutes, dated July 9, 2019 and July 23, 2019
- Comments from an AAC Member, dated July 25, 2019
- An Accident Experience Summary from Frederick P. Clark Associates, dated July 15, 2019.
- Technical Peer Review Comments, dated July 29, 2019
- A Letter from Ellen Burns, dated July 30, 2019.
- An e-mail from Project Engineer, Michael Mazzucco to Peer Review Engineer Chris DeAngelis, dated July 30, 2019
- Revised Site Plans from Engineer Mazzucco, dated July 19, 2019.
- Revised Engineering Plans from Engineer Mazzucco, dated July 30, 2019.

Applicant Attorney Robert Jewell agreed to allow Staff comments to be presented before his presentation.

Mr. Baldelli stated that the Staff is hoping to see very detailed phasing plans, which is the form they are used to seeing, with the narrative and drawings on one page and continuing in that vein. Separate from that, the Staff would anticipate and hope to see a very detailed phasing plan as to how it is anticipated to construct Building 2, if Building 1 is in existence and open to the public. Also, Mr. Baldelli and Staff are concerned about the possible loading and unloading on the shoulders of Route 7. They would be opposed to that unless there was an authorization from CTDOT ahead of time. Mr. Baldelli said that Semi-trailers will be prohibited on site as they will be restricted by contract, if this matter is approved. He went on to emphasize order and safety with respect to this project.

Mr. Robinson stated he had two items from the July 9, 2019 hearing that the AAC and the public will need to see: 1) need for visual renderings from the roadway; e.g., how high is the vantage point of the rendering? Did they get DOT approval for landscape screening in the state right-of-way?; and 2) traffic during morning and evening rush hours may be a problem because of the construction trucks; may need to prohibit construction traffic during certain hours.

Commissioner Katz asked about how a Jersey Barrier would affect the already existing traffic problems on Route 7.

Ms. Peyser, who was not at the July 9 public hearing, but who heard the tape, had three points that needed clarification: Section 4.5 of the Inland Wetlands and Watercourses Regulation; the lines of the maps shown on July 9, 2019 were not accurate based on the regulation that a commercial structure be 75 feet from a wetland or 100 feet from a watercourse (whichever is greater) and the United States Department of Agriculture map showed that there were wetlands under Route 7. Messrs. Mazzucco and Jewell, after discussion, agreed the maps already presented did not coincide with maps submitted with plans.

Mr. Robert Jewell presented the application and stated that the overall changes were made since the July 9, 2019 hearing. This area has not been rezoned since 1950. The building coverage will be 14% of the overall site versus other local buildings and the height of the building will be 22.6 feet under the building regulations because it will be built into a hill.

The Chair asked if Mr. Jewell and his client had seen the AAC minutes and Mr. Jewell said they had and approved them.

Mr. Michael Mazzucco, Project Engineer, gave his presentation on the site plans with the changes and comments from the July 9, 2019 public hearing

Comments from Staff included the total timing of the first four phasing from beginning to end, which could possibly take 2.5 to 5.0 years.

Mr. Chris DeAngelis presented technical peer review and said that the issues he had were mostly resolved. When asked by Mr. Baldelli about phasing and sequencing, he said that he was okay with the first three phases, but that the fourth phase needed more details.

Ms. Peyer stated the applicant did not do a wetlands delineation.

Mr. Jack Kace of the Conservation Commission commented that there needed to be a plan that hazard materials would not be allowed in the new storage facility, if this matter were approved. He also stated concerns about protecting the aquifer. The Chair said that the biggest concern regarding protecting the aquifer was the road salt used by the state on Rte 7.

Mr. Jewell stated that his applicant was happy to continue the Public Hearings to September 10, 2019 and would grant an extension.

The Public Hearings adjourned at 10:57 p.m.

The Public Hearings were continued to September 10, 2019.

Hearing no further discussion, the Chair adjourned the Meeting at: 10:57 p.m.

Respectfully submitted,

Eileen White

APPROVED/REVISED
MINUTES
INLAND WETLANDS BOARD
SPECIAL MEETING

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

July 30, 2019

Present:

John Katz
Rich Vazzana
Joseph Dowdell
George Hanlon
Rebecca Mucchetti, Chair
Mark Zeck

Joseph Fossi, Vice Chair, returned to the meeting room at 11:15 p.m.

Absent:

Catherine Savoca

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

At 11:06 p.m. Chair Mucchetti called the meeting to order.

PENDING ITEMS

- 1. IF PUBLIC HEARING IS CLOSED: #2019-045-REV(SP)-SR:** Summary Ruling Application per Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations for activities within the upland review areas, located at **439 Silver Spring Road** in the RAA Zone. *Statutorily received on May 28, 2019. Site walked on June 23, 2019. 35 days to render a decision is September 03, 2019. Owner: Flat Rock Corporation (The). Applicant: Silver Spring Country Club, Incorporated (The). Authorized Agent: Robert R. Jewell, Esq. For discussion and possible action.*

Mr. Katz motioned, Mr. Hanlon seconded, to approve as modified during presentation. Motion carried 7-0. Effective date is August 9, 2019.

- 2. IF PUBLIC HEARING IS CLOSED: #2019-043-REV(SP)(SR):** Revision to Summary Ruling Application per Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations to construct a self-storage facility with associated site work within the upland review area of wetlands at a property consisting of approximately 2.97 acres at **800 Ethan Allen Highway (Assessor's ID G10-0026)** in the B-2 Zone. *Statutorily received on May 14, 2019. Site walked on June 23, 2019. 35 days to render a decision is September*

03, 2019. Owner: BBD LLC. Applicant: Saber Management LLC. Authorized Agent: Robert R. Jewell, Esq. For discussion and possible action.

The Public Hearing is continued to September 10, 2019.

NEW ITEMS

- 1. #2019-055-REV(SP)-SR:** Summary Ruling Application per Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations for new parking and vehicular area site work within the upland review area of wetlands at a property consisting of \pm 6.445 acres located at **351 Main Street (Assessor's ID E15-0123) and 353 Main Street (Assessor's ID E15-0124)** in the RA & R-20 Zone. *Owner/Applicant: St. Stephen's Episcopal Church of Ridgefield. Authorized Agent: Robert R. Jewell, Esq. For receipt and scheduling a Site walk and Public Hearing. Staff request for retaining a peer review engineering consultant.*

Mr. Katz motioned, Mr. Hanlon seconded, to receive, schedule a Site Walk on September 8, 2019, authorize a peer review with Brian Nesteriak and schedule a Public Hearing for September 24, 2019. Motion carried 6-0.

BOARD WALKS

To be scheduled

- **#2019-055-REV(SP)-SR**, Summary Ruling Application, 351 & 353 Main Street, St.Stephen's Episcopal Church of Ridgefield.

REQUESTS FOR BOND RELEASES/REDUCTION

None.

CORRESPONDENCE

None.

MINUTES

For approval: July 16, 2019

Inland Wetlands Board Meeting:

Mr. Katz motioned, Mr. Hanlon seconded, to approve as amended. Motion carried 6-0.

Inland Wetlands Public Hearing:

Mr. Katz motioned, Mr. Hanlon seconded, to approve as amended. Motion carried 6-0.

For distribution: July 23, 2019

PUBLIC HEARINGS

July 30, 2019

- **#2019-045-REV(SP)-SR**, Summary Ruling Application, 439 Silver Spring Road, Flat Rock Corporation (The)
- **#2019-043-REV (SP)(SR)**, Revision to Summary Ruling Application, 800 Ethan Allen Hwy, BBD LLC

Hearing no further discussion, the Chair adjourned the Meeting at 11:15 p.m.

Respectfully submitted,

Eileen White

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION
SPECIAL MEETING

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

July 30, 2019 Present: John Katz
 Rich Vazzana
 Joseph Dowdell
 George Hanlon
 Rebecca Mucchetti, Chair
 Mark Zeck

Joseph Fossi, Vice Chair returned to the meeting room at 11:15 p.m.

Absent: Catherine Savoca

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

At 11:07 p.m. Chair Mucchetti called the meeting to order.

Mr. Fossi returned at 11:15 p.m., when the Planning and Zoning Commission resumed deliberation of **439 Silver Spring Road**. Ms. Peyser left the meeting at: 11:15 p.m.

PENDING ITEMS

- 1. IF PUBLIC HEARING IS CLOSED: #2019-045-REV(SP)-SR:** Revision to a Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to construct a Maintenance Facility and a Paddle Tennis Facility and related site work, per Sec. 7.5 for associated excavation, screening, and rock crushing, and per Sec 3.2.C.3 for a modification to a Special Permit to extend the paddle tennis season, for a property located at **439 Silver Spring Road** in the RAA Zone. *Statutorily received on May 28, 2019. Site walked on June 23, 2019. 65 days to render a decision is October 03, 2019 Owner: Flat Rock Corporation (The). Applicant: Silver Spring Country Club, Incorporated (The). Authorized Agent: Robert R. Jewell, Esq. For discussion and possible action.*

Mr. Zeck motioned, Mr. Hanlon seconded, to approve the application as modified during presentation with specific conditions for the extended paddle tennis season of September 15, 2019 to April 15, 2020 - hours of operation of 8 a.m. to 10 p.m.; all lights off, all activities cease, and the warming hut use ceases at 10 p.m. Motion carried 7-0. Effective Date of August 9, 2019.

2. **IF PUBLIC HEARING IS CLOSED: #2019-043-REV(SP)(SR):** Revision to a Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to construct a self-storage facility within a locally defined aquifer at a property of approximately 2.97 acres and located at **800 Ethan Allen Highway (Assessor's ID G10-0026)** in the B-2 Zone. *Statutorily received on May 14, 2019. Site walked on June 23, 2019. 65 days to render a decision is October 03, 2019. Owner: BBD, LLC. Applicant: Saber Management LLC. Authorized Agent: Robert R. Jewell, Esq. For discussion and possible action.*

The public hearing has been continued to September 10, 2019.

NEW ITEMS

1. Distribution of proposed Affordability plan.% Staff.
This matter is for distribution only. If time permits, it may be added to the September 10, 2019 agenda.
2. **#2019-054-AH:** Affordable Housing application under Section 8-30g of the Connecticut General Statutes (Affordable Housing) to construct a Multi-family home with nine (9) units, With three (3) units to be affordable for a property consisting of \pm 0.43 acres located at **5 North Salem Road (Assessor's ID E14-0103)** in R-20 Zone. *Owner/Applicant: Kung H. Wei. Authorized Agent: Robert R. Jewell, Esq. For receipt, scheduling Site walk and Public hearing. Staff request for retaining a peer review engineering consultant.*

Mr. Katz motioned, Mr. Hanlon seconded, to receive, schedule a Site Walk for September 8, 2019, and schedule a Public Hearing for September 24, 2019 and to authorize a peer review with Brian Nesteriak. Motion carried 6-0.

3. **#2019-055-REV(SP)-SR:** Revision to a Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to construct a new parking and vehicular area for a property consisting of \pm 6.445 acres located at **351 Main Street (Assessor's ID E15-0123) and 353 Main Street (Assessor's ID E15-0124)** in the RA & R-20 Zone. *Owner/Applicant: St. Stephen's Episcopal Church of Ridgefield. Authorized Agent: Robert R. Jewell, Esq. For receipt and scheduling a Site walk and Public Hearing. Staff request for retaining a peer review engineering consultant.*

Mr. Zeck motioned, Mr. Katz seconded, to receive, schedule a Site Walk for September 8, 2019, a Public Hearing for September 24, 2019 and authorize a peer review with Brian Nesteriak Motion carried 6-0.

COMMISSION WALKS

September 8, 2019

- **#2019-054-AH**, Affordable housing Application, 5 North Salem Road, Kung H. Wei
- **#2019-055-REV(SP)-SR**, Special Permit Application, 351 & 353 Main Street, St.Stephen's Episcopal Church of Ridgefield.

REQUESTS FOR BOND RELEASES/REDUCTION

None.

CORRESPONDENCE

- Planning and Zoning Quarterly Newsletter

MINUTES

For approval: July 16, 2019

Planning and Zoning Public Hearing:

Mr. Katz motioned, Mr. Vazzana seconded, to approve as amended. Motion carried 6-0.

Planning and Zoning Meeting:

Mr. Katz motioned, Mr. Vazzana seconded, to approve as amended. Motion carried 6-0.

For distribution: July 23, 2019

PUBLIC HEARINGS

July 30, 2019

- **#2019-045-REV(SP)-SR**, Revision to Special Permit, 439 Silver Spring Road, Flat Rock Corporation (The)
- **#2019-043-REV (SP)(SR)**, Revision to Special Permit Application, 800 Ethan Allen Hwy, BBD LLC

Hearing no further discussion, the Chair adjourned the Meeting at 11:30 p.m.

Respectfully submitted,

Eileen White