

TOWN OF RIDGEFIELD
Planning and Zoning Commission

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION
Public Hearing
Zoom Webinar Meeting
Recording of Votes

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

June 9, 2020	Present:	Susan Consentino
		Joseph Dowdell
		Joseph Fossi
		George Hanlon
		Robert Hendrick
		John Katz (Joined at: 7:02 p.m.)
		Rebecca Mucchetti, Chair
		Ben Nneji
		Charles Robbins, Vice Chair

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

Call to Order

Chair Mucchetti called the Meeting to Order at 7:01 p.m. via Zoom Webinar. She gave an overview of the Agenda and the aspects of Zoom Webinar procedures. This was the first Public Hearing via Zoom Webinar.

Mr. Katz motioned, Mr. Hanlon seconded, to raise to the Agenda Under New Business the Conservation Commission's Open Space Grant Application to DEEP letter. Motion carried 9-0.

Public Hearing

1. #2020-021-RESUB: -An application for 3-lot Re-Subdivision of land under Section 7.5 of the Ridgefield Subdivision regulations for a property consisting of \pm 50.94 acres located at **183 Great Hill Road** in the RAA zone. *Statutorily received on February 25, 2020. Site walk scheduled at June 07, 2020.35 days to close a public hearing is July 14, 2020. Owner/Applicant: Estate of Basha Szymanska. Authorized Agent: Steven Trinkaus, PE.*

The Chair stated the Application was received on February 25, 2020. The applicant was asked for, and granted, a 65-day extension, when the State and Town declared a State of Emergency.

As an in-person hearing was not possible, the Public Hearing was conducted via a Zoom Webinar. The Chair also said that a site walk took place on June 7, 2020, with seven commissioners present. A Staff Report was also prepared and submitted on March 20, 2020, which provided the following documents:

- The original approved Subdivision maps from 2002;
- The expiration of the Subdivision approval, dated 2016;
- A consolidation map for the remaining lots, dated 2016;
- The Consultant Engineering report provided by Teisute Jucaite, P.E., dated March 19, 2020;
- E-mails between Mr. Baldelli and the Town Sanitarian, dated February 19, 2020 and March 3, 2020; and
- The Adopted Inland Wetland Board Resolution of Approval for the Summary Ruling Application, dated March 20, 2020.

Mr. Baldelli read the legal notice.

Mr. Steve Trinkaus, Professional Engineer, presented the Application, which included that the Applicant would like to re-instate two of the lots from the original 2002 sub-division approval that have not been developed since the 2016 consolidation, and allow them to be developed. There are no wetlands on the lots. The soil is a limestone base, which is good for stormwater management.

Commissioner Katz asked about the trees, specifically the large tulip tree which is on the southern-most end of the southern-most lot. Mr. Katz asked if the tulip tree could be saved by removing the dead ash tree that is near it? Mr. Trinkaus stated the intent is to save the tulip tree.

Ms. Teisute Jucaite, Professional Engineer, Consultant Engineer for the Town of Ridgefield, said that Mr. Trinkaus addressed all her concerns, except for the stormwater quality volume report. Since the Town of Ridgefield is in flux about stormwater regulations, the State regulations apply. Peak flow rates need to be presented. Ms. Jucaite asked what will be the cumulative effect be when the land is resubdivided? Watershed mapping needs to be provided.

Mr. Trinkaus stated that he was happy to provide the analysis that shows there are no changes of peak rate of runoff as a condition of approval. Ms. Jucaite said that would address her concerns.

Mr. Baldelli presented the Staff Report which gave the history of the property. Mr. Baldelli recommended that prior to the Re-Subdivision Map being stamped for approval, all references to the previously undeveloped lots that have been merged, be completely removed from the new Re-subdivision Map. He had the same recommendation for all the old accessways, old roadways and old easements. Mr. Baldelli recommended that the Commission have two conditions: Prior to a development application being submitted for any of the lots, that a Stormwater Management Plan and Agreement for that particular lot has to be submitted to the Planning and Zoning Department; and, prior to the issuance of a zoning permit for any development on the property, a Water Quality Volume Report has to be submitted to the Planning and Zoning Department for the Consultant Engineer's review.

Mr. Baldelli continued that the overall impact was much less than had previously been approved with the 2002 Subdivision.

Commissioner Nneji asked why the condition of approval should have the stormwater system now, when anyone purchasing the property will have to go through the approval process. Mr. Baldelli explained that because the Town of Ridgefield is in between stormwater regulations, it is prudent to get applications approved with stormwater specifications in place.

Commissioner Nneji thanked the Chair for her assistance in getting him to the Site Walk for this application.

There were no comments from the public or further questions or comments from the Applicant, Commission or Staff.

The Public Hearing closed at: 7:35 p.m.

Hearing no further discussion, the Chair adjourned the Meeting at: 7:35 p.m.

Respectfully submitted,

Eileen White

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June 9, 2020	Present:	Susan Consentino
		Joseph Dowdell
		Joseph Fossi (Left at: 8:19 p.m.)
		George Hanlon
		Robert Hendrick
		John Katz (Joined at: 7:02 p.m.)
		Rebecca Mucchetti, Chair
		Ben Nneji
		Charles Robbins, Vice Chair

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

Chair Mucchetti called the Meeting to Order at 7:35 p.m. via Zoom Webinar.

Discussions

1. #2020-005-RESUB (If Public Hearing is closed): An application for 3-lot Re-Subdivision of land under Section 7.5 of the Ridgefield Subdivision regulations for a property consisting of ± 50.94 acres located at **183 Great Hill Road** in the RAA zone. *Statutorily received on February 25, 2020. Site walk on June 07, 2020. 65 days to render a decision is August 13, 2020.*
Owner/Applicant: Estate of Basha Szymanska. Authorized Agent: Steven Trinkaus, PE. For discussion and possible action.

Mr. Katz motioned, Mr. Fossi seconded, to approve with conditions as noted. Effective Date: June 12, 2020. Motion carried 8-0-1. Ms. Consentino abstained.

2. #2020-023-PRE: Pre-submission concept discussion for “Drive Through facility for Food Service.”
Authorized Agent: Robert R. Jewell, Esq.

Mr. Baldelli explained the idea of a pre-submission concept as a non-binding, informal presentation to the Commission by an applicant that is advisory in nature only.

Attorney Robert Jewell presented the concept of drive through for food service that was precipitated by a client who spoke to him about this concept. He stated that he was asking for

food service drive through by special permit in certain zones, possibly starting with the B2 zone on Route 7. A number of conditions could be placed, such as regulating and limiting hours of operation.

Commissioner Katz commented that it was not a good idea to change any regulation to satisfy one entity and did not see the concept as a trend in healthy development.

Mr. Robert Schoetz, Mr. Jewell's client, a local property owner, spoke about how the local pharmacy had a drive through so that people could pick up their purchases and maintain social distancing safety. He stressed wanting his property's neighborhood to be kept safe and that the drive through food service would be by special permit only.

The Chair asked for a clarification about using this concept in particular zones. Mr. Jewell responded that he simply wanted to open up the conversation about drive through restaurants.

Comments from the Commissioners included not assuming that safety and economical changes that have occurred through the pandemic would be permanent and that there was no reason to be reactive with this concept.

Commissioner Hanlon said that he never understood why Ridgefield has not had driven through restaurants.

Commission Katz stressed the land use rationale should be the consideration in any change of the regulations.

The Chair stated that she did not hear a consensus amongst the Commissioners to support revising the regulations to support this Pre-submission Concept.

New Business

1. #2020-026-REF: Referral notice from City of Danbury for Petition to Amend Zoning Regulations- Sugar Hollow Land Development.

The Chair spoke about the perimeters of the property and its proximity to BMW of Ridgefield's property.

Ms. Martin stated that this City of Danbury referral was an Industrial Zoning change to allow the sale of used cars to be next to the sale of new cars.

Commissioner Katz asked Ms. Martin if she foresaw any negative impacts if this change came about. Ms. Martin did not see any negative impacts.

The Chair asked for further comments. The consensus was that the Commission did not have a comment due to a lack of information. Ms. Martin read the language of the proposed City of Danbury change in regulations. The Chair stated that Sugar Hollow Land Development had petitioned about the change in this regulation.

The Commission decided not to make a comment.

2. #2020-027-REV(SPA): Revision to the Site Plan Application per Section 9.1.C of the Town of Ridgefield Zoning Regulations to reduce the number of units from twenty-one (21) units to fourteen (14) units and related site plan modifications for a property located at 63-67 Prospect Street approximately ± 1.415 acres in MFDD zone. *Owner: Giardini Limited Partnership and pierandri Realty, LLC. Applicant: Charter Group Partners, LLC. Authorized Agent: Donnelly McNamara & Gustafson, P.C. For receipt and scheduling discussion.*

Commission Counsel, Thomas Beecher, will be joining the Commission for the discussion to explain the conditions under which the application can be considered.

Mr. Robbins motioned, Mr. Hendrick seconded, to Receive, Schedule a Discussion for July 7, 2020 and Schedule a Site Walk for June 21, 2020. Motion carried 8-0.

3. #2020-028-SP: Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations, per Section 3.2.C.2 to use the premises for educational purpose for a property approximately ± 10.406 acres located at **45 Stonehenge Road** in RAA Zone. *Owner/Applicant: EAP Property, LLC. Authorized Agent: Robert R. Jewell, Esq. For receipt, scheduling a site walk and Public Hearing.*

Mr. Katz motioned, Mr. Robbins seconded, to Receive, Schedule a Site Walk for June 21, 2020 and Schedule a Public Hearing for July 14, 2020. Motion carried 8-0.

4. Conservation Commission's request to DEEP for the purchase of open space letter.

The Chair stated that the Conservation Commission was asking for the Planning and Zoning Commission's support for a grant request to purchase 14 acres of property on Bear Mountain that would connect two existing open space parcels. She would encourage sending a letter to DEEP in support of the RCC's grant application.

Mr. Katz motioned, Mr. Robbins seconded, to have the Chair send a letter of support to DEEP regarding the Conservation Commission's grant request application by June 18, 2020. Motion carried 8-0.

Correspondence:

- Eight letters in opposition to the Pre-Submission Concept of a Drive Through Facility for Food Service were sent and distributed to the Commission and posted on the Town of Ridgefield Website.

Approval of Minutes: May 26, 2020 (emailed on June 05, 2020).

Ms. Consentino asked for edits in the May 26, 2020 Minutes about the Danbury referral for the Natural Gas Generation Facility at 100 Saw Mill Road. The Chair read the Minutes referencing the Danbury referral and it was determined that edits were not necessary.

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

Adjourn

Hearing no further discussion, the Chair adjourned the Meeting at: 8:29 p.m.

Respectfully submitted,

Eileen White