

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION
EXECUTIVE SESSION

November 14, 2017

Present: Robert Cascella
Tim Dunphy
George Hanlon
John Katz
Mark Zeck
Rebecca Mucchetti, Chairman

Also Present: Thomas Beecher, Esq.
Richard Baldelli, Director of Planning and Zoning

At 7:00 p.m., Chairman Mucchetti asked for a motion to go into Executive Session, with Commission Counsel, Thomas Beecher, and Richard Baldelli, Director of Planning & Zoning

John Katz motioned, seconded by George Hanlon, to enter into Executive Session. The motion passed, 6-0.

Discussion was held regarding the following pending litigation:

Bloch, Samuel, ET AL vs Town of Ridgefield, Planning and Zoning Commission,
ET AL

Executive Session ended at 7:25 pm.

There were no motions made, no votes cast and no actions taken during the Executive Session.

Respectfully submitted,

Rebecca Mucchetti, Chair

APPROVED/REVISED
MINUTES
PLANNING & ZONING COMMISSION PUBLIC HEARING

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

November 14, 2017

Present: Robert Cascella
Stephen Cole
Tim Dunphy
George Hanlon
John Katz
Mark Zeck
Rebecca Mucchetti, Chairman
Joseph Fossi, Vice Chairman

Also Present: Attorney Thomas Beecher
Richard Baldelli, Director of Planning and Zoning
Adam Schnell, Assistant Planner

At 7:30 PM Chairman Mucchetti called the meeting to order.

PLANNING AND ZONING COMMISSION

1. **#2017-047-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 called “Front Porch Farm” at **47 Circle Drive** in RAA Zone. *Statutorily received July 18, 2017. Site walked on September 10, 2017. Public Hearing held on September 19, 2017, October 17, 2017 and November 08, 2017. 35 days to close Public Hearing was October 24, 2017. 16 day Public Hearing extension granted on October 17, 2017 until November 09, 2017 and 6 day Public Hearing extension granted on November 08, 2017 until November 15, 2017. Public Hearing continued to November 14, 2017. Owner/Applicant: Thomas A & Catherine Savoca.*

Also Present: Mr. Thomas & Mrs. Catherine Savoca
Members of the Public

Chairman Mucchetti began the meeting by explaining the election results and why certain Commissioners were sitting at the table and why others were not.

Further, Chairman Mucchetti explained the complaint brought by Lynne Noyes, Robert Cousins et al to the Ethics Committee regarding the first Public Hearing. She noted that the Ethics Committee provided a final opinion which stated there was no probable cause.

The Chair stated that she agreed with Mrs. Noyes that the signup sheet had been falsified. She stated that she asked Attorney Beecher to contact Attorney Olson and ask what he knew about the signup sheet. Mr. Beecher reported that Attorney Olson acknowledged that upon hearing that there was a signup sheet, he and his clients, Rob

and Claudia Pacifico, agreed it would be preferable if he spoke first, so they re-wrote the signup sheet and replaced the original. The Chair stated that the signup sheet is a public document and falsifying a public document is a serious matter. Mrs. Pacifico acknowledged rewriting and replacing the original signup sheet.

Mrs. Savoca then gave her opening comments stating they had retained a Civil Engineer to render an opinion on the remedy of the driveway site lines and how it may incorporate the neighbor's, Mrs. Jane Knox, trimming hedges. Mrs. Savoca then read a letter from Mrs. Knox who stated that she had no issues with trimming her hedges and how she was not opposed to this application.

Mrs. Savoca went on to say that per the regulations they are not required to have handicap parking, that the existing large trees will have no impact on the driveway, parking, ingress, egress, driveway sites lines or their septic and how she does not work out of the home so no permit is required.

Chairman Mucchetti then turned the meeting to the public with the following comments made:

- The development needs to be in character with the neighborhood.
- There were 4 cars in their driveway recently and the B&B has not opened yet.
- A formal engineering study not just an opinion from the Civil Engineer should be required and considered before a final decision is made on the application.
- If the application is approved, the remote, private, serene, quiet neighborhood will disappear.
- There are no street lights or sidewalks and the streets are too narrow to have increased traffic.
- Increased traffic brings danger to the neighborhood children.
- A B&B should be closer to Town and not in this remote neighborhood.
- There were 2 occasions when the hedges across the street from the applicant were damaged. It was assumed that someone coming out of the applicant's driveway caused this damage.
- Having strangers/transients in the neighborhood is unsettling.
- This B&B does nothing positive for the neighborhood.
- A meeting was held at the beginning of this matter with the Savocas to try and see their side all to no avail.
- Property values will go down.
- A B&B is not suitable for this area and will not preserve the character of the neighborhood.
- If a permit is issued, it will stay with the property no matter who is living there.
- The Owners must live in the house but they could leave for the weekend and leave the guests alone.
- The guests could have guests and parking could become an issue.

- One member felt that a property owner has a right to do what they wish with their property so long as it meets the regulations and he was applaud at the treatment the Savocas have received from the neighborhood.

At the conclusion of public comment, Mrs. Savoca closed stating that the hedges across the street were damaged first by a snow plow and second by an unknown in the middle of the night when all were sleeping. She then tried to assure the public that the guests will not be a danger to the neighborhood children and that their home will not be altered on the outside to stay in character with the neighborhood. She stated that they will be only using 2 of their 4 bedrooms in their home, that this B&B is not a growing commercial investment and she believes that there is a need for hospitality in Ridgefield.

With that, Chairman Mucchetti closed the Public Hearing.

Hearing no further discussion, the Chairman adjourned the meeting at 9:20 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary
(Per the Audio Tapes)

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PLANNING AND ZONING COMMISSION MEETING

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November 14, 2017

Present: Robert Cascella
Stephen Cole
Tim Dunphy
George Hanlon
John Katz
Mark Zeck
Rebecca Mucchetti, Chairman
Joseph Fossi, Vice Chairman

Also Present: Attorney Thomas Beecher
Richard Baldelli, Director of Planning and Zoning
Adam Schnell, Assistant Planner

A Planning and Zoning Commission Public Hearing was held prior to the Planning and Zoning Commission Meeting.

At 9:20 PM Chairman Mucchetti called the meeting to order.

1. **:#2017-047-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 called “Front Porch Farm” at **47 Circle Drive** in RAA Zone. *Statutorily received July 18, 2017. Site walked on September 10, 2017. Public Hearing held on September 19, 2017, October 17, 2017 and November 08, 2017. 35 days to close Public Hearing was October 24, 2017. 16 day Public Hearing extension granted on October 17, 2017 until November 09, 2017 and 6 day Public Hearing extension granted on November 08, 2017 until November 15, 2017. Public Hearing continued to November 14, 2017. 65 days to render a decision is January 18, 2017. Owner/Applicant: Thomas A & Catherine Savoca. For discussion and action.*

Attorney Beecher started the discussion quoting regulations and explained that the registered business owned by Mrs. Savoca was a home office business with no employees or visitors and therefore it does not need a permit and that this application is not subject to handicap parking spaces.

Mr. Baldelli concurred with Attorney Beecher and went on to say that the building code states if there is less than 16 persons, no handicap parking is required. Further, Mr. Baldelli noted that the office was removed from the plans submitted by the applicant. He recommended that the Commission attach a condition of approval that a Civil Engineer must certify the driveway site lines.

Assistant Planner Schnell commented that this use will not impact the neighborhood and that there is a local need in Ridgefield for accommodations.

Although one Commissioner felt that the application did not meet the safety and welfare requirements of the Special Permit criteria, the remainder of the Commission felt for the following reasons the application should be approved:

- A B&B is a residential use which is an appropriate use in a residential neighborhood.
- The outside of the house is not being altered, only the inside so it will remain in character with the neighborhood.
- It is a benign use.
- There will be no negative impact from traffic and a UPS truck, FedEx truck or garbage truck has more impact than guests from the B&B.
- We should be sensitive to street parking.
- Should there be any problems, the Savocas will be the first impacted and will call for help.
- The risk is minimal.
- This application complies with the regulations and the health and safety issues were addressed.
- The Commission is not insensitive to the neighbors concerns but felt that there was no evidence to prove that this was not a suitable location and that the evidence presented by the neighbors was conjecture and speculation. Further, it was pointed out that Attorney Olsen had the opportunity to present evidence.
- Renting two rooms is not a commercial use.

Attorney Beecher then took the Commission through all the Special Permit criteria and point by point this application met the regulations.

Mr. Dunphy motioned, Mr. Hanlon seconded to approve drafting a Final Resolution to approve the above Special Permit application as presented with standard conditions and the following conditions:

- **There will be no street parking associated with guests from this Bed and Breakfast.**
- **A Civil Engineer must certify the site lines at the driveway.**

Motion carried 6-1-1. Mr. Cole was opposed and Mr. Zeck abstained.

Hearing no further discussion, the Chairman adjourned the meeting at 10:00 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary
(Per the Audio Tapes)