

APPROVED/REVISED
MINUTES
INLAND WETLAND BOARD
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS

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

September 19, 2018

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

Also Present: Richard Baldelli, Director of Planning and Zoning
Beth Peyser, Inland Wetlands Agent & Conservation Enforcement Officer
Kara Illium, Recording Secretary

At 7:29 P.M., Chair Mucchetti called the meeting to order.

Item I: #2018-042-SP: Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.3.D.1 for a Major home occupation, "Sacred Waters LLC." The application includes screening of the equipment, trailer, and requests for the waiver of the application fees, at **6 Clearview Drive** in the RA Zone. *Statutorily received on July 17, 2018. 35 days to close public hearing is October 24, 2018. Owner: Estate of Betty Keegan. Applicant: John Keegan. Authorized Agent: Robert R. Jewell, Esq.*

Attorney Jewell gave a presentation noting the following:

- Home businesses are allowed in residential zones, provided that they are home offices with no outside employees, and that no more than 25% of the building is in use (Special Permit Criteria).
- The pond dredging equipment is 21.5 x 6.5 feet in size, weighs 3800 pounds, and must be kept outside, as the applicant has no garage.
- The applicant has made improvements to the property (has moved the boat, has installed a 7 foot high fence, and is in the process of installing a gate that will completely block the view of the boat once finished).
- The dredging equipment is only used 2-3 times a year, is attached to Mr. Keegan's pickup truck when it is taken to work.
- There is no other commercial activity on the property other than equipment storage.

- The applicant moves the equipment on/off the property between the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday, and has agreed to change the hours to 8:00 a.m. and 4:30 p.m., Monday through Friday.
- The dredge equipment will be tested and cleaned off the site.
- The equipment is the applicant's livelihood.

Public Commentary followed Attorney Jewell's presentation, noting the following:

Opposed (the majority of residents who spoke):

- There is more activity on the property than just storing the boat (equipment is loaded and unloaded 3 times a day and is loud), and the houses in this neighborhood are very close together.
- The boat is longer than a 72-passenger school bus (Note: School buses are not allowed on these roads due safety concerns about the narrow roads).
- The applicant's business is a dredging company as opposed to just a small office.
- There are possible concerns with run-off into the lake.
- The area is scenic, and many residents feel that, due to this equipment, the area is no longer scenic.

In Favor:

- The equipment has been there for years, and no one has complained about it earlier.
- The applicant has done what he can do to screen the equipment.
- The applicant stated that any runoff would be absorbed before reaching the lake, so would not be an issue.

The Public Hearing was closed at 8:35 pm.

At 8:45 P.M., Chair Mucchetti called the following Public Hearings to order.

Mr. Cascella motioned, Mr. Dunphy seconded to combine the reviews of the Summary Ruling application before the Inland Wetlands Board and the Special Permit Application before the Planning and Zoning Commission for activities at 233 Danbury Road. Motion carried 9-0.

Mr. Katz motioned, Mr. Fossi seconded to waive the reading of the Legal notices. Motion carried 9-0.

INLAND WETLANDS BOARD

Item I: #2018-054-AH-SR: Summary Ruling application under Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations for grading and related work in an upland review area on property consisting of ± 3.33 acres located at **233 Danbury Road** in the RAA Zone. *Statutorily received on July 24, 2018. Site walked on July 29, 2018. 35 days to close public hearing is October 24, 2018.*
Owner/Applicant: CGP Danbury Road, LLC. Authorized Agent: Robert R. Jewell, Esq.

PLANNING AND ZONING COMMISSION

Item I: #2018-054-AH-SR: Application for multi-family development under Section 8-30g of the Connecticut General Statutes (Affordable Housing) for construction of thirty (30) age restricted units, of which 30% of the units shall be affordable, and per Ridgefield Zoning Regulations Section 7.5.D.5 for earth processing, including rock-crushing and soil screening, on property consisting of +/-3.33 acres located at **233 Danbury Road** in the RAA Zone. *Statutorily received on July 24, 2018. Owner/Applicant: CGP Danbury Road, LLC. Authorized Agent: Robert R. Jewell, Esq.*

The applicant, Marty Handshy, gave an overview of the proposed property, noting the following:

- The development will consist of 30% affordable housing units, including 5 1-bedroom and 4 2-bedroom units, and there will be 61 parking spaces.
- The estimated \$185,000 per year in tax revenue will benefit the town.

Attorney Jewell noted the following:

- The moratorium regarding development on the property is coming to an end (October 2018), and that the Appeal Statute may apply.
- The sale price for the units has not been determined.
- The property will have a private septic system that has been approved by the State Health Department, and the septic will be behind the proposed building.
- There will be no direct impact on the nearby wetlands (there will be some site grading and discharge in the Upland Review Area, a Summary Ruling application has been submitted).
- The site is within walking distance of Founders Hall and the nearby shopping center.

Steve Sullivan (Project Engineer) noted the following:

- The site would consist of a proposed 3-story building.
- The site is mostly lawn that slopes to the west, away from Route 35.
- The drainage will be near the rear property line, and stormwater will be collected by catch basins. In addition, a silt fence and soil stockpiling areas have been proposed as measures to prevent erosion.
- There will be concrete sidewalks and curbing.

Nick Yuscak (Landscape Architect) noted the following:

- Existing hedge and 18-inch maple tree will be protected.
- Shade and foundation trees will be planted (both deciduous and evergreen).
- A row of evergreen trees has been proposed at the southern line of the development.

Ray Sullivan (Architect):

- There will be 10 units per floor, with an average of 840-1165 square feet, and each unit will have a deck.

- The design will be a streamlined farmhouse design, with dormers, accent bay windows, asphalt roof, and vinyl siding.

Jodie Chase (Soils Scientist), noted the following:

- The wetlands system flows south, and the channel runoff would be downstream, into the proposed wet pond, which will be created and maintained for stormwater control.
- Erosion control measures would also be put into place.

Mike Galante (Traffic Consultant) noted the following:

- Area is in a 40 mph zone, with 11 crashes over a 10-year period, and peak traffic from 8-9 a.m. and 5-6 pm. – mostly southbound.
- The traffic would be more spread out for an age-restricted development, whose average age would likely be 70+.

Peer Review (including commentary from Chris DeAngelis, Kermit Hua, Don Poland, Glenn Chalder -

- Mr. DeAngelis: Soil erosion controls, site layout, and accessibility seem to conform to regulations; noted that duration of the construction needs to be added; also, no details on lighting yet.
- Mr. Hua: Noted different traffic data from Mr. Galante's data; attributed this to different data collection and methodology.
- Mr. Chalder: Safety most important; also, enough parking spaces needed.

Public Commentary:

Opposed:

- A Conley Court resident who is a registered engineer noted that the proposed septic system would not be sufficient to handle the 2,250 gallons of water.
- One resident mentioned that the proposed property would be visible from her deck (eyesore).
- Traffic would be an issue (also traffic safety citing that peer review engineer noted flaw in traffic study).
- May be potential drainage issues from the development (a resident who lives near the nearby wetlands area mentioned that her garage has flooded 3 times).
- Traffic and wetlands are concern.
- Ms. Nesbitt (Director of Development at Founders Hall): Traffic is the main issue.

In Favor:

- Those in favor mentioned that they think the development at 77 Sunset Lane (built by Mr. Handshy) is well-constructed.
- Age restricted affordable housing meets a need so that retired people can stay in town.

Public Hearing was continued to 10/09/2018.

A combined Inland Wetland Board/Planning and Zoning Public Hearing for 233 Danbury Road was held prior to the following Planning and Zoning Public Hearings.

The Planning and Zoning Commission public hearing for following items started at 10:40PM

Item III: #2018-045-A: Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to add the Section 5.3.C.12: Food retail/serving and Section 5.3.D.5.d: flooring, granite marble. *Statutorily received on July 17, 2018. Commission initiated.*

Mr. Cascella motioned, Mr. Robbins seconded to waive the reading of the Legal notice. Motion carried 9-0. Public Hearing was opened and continued to 10/23/2018.

Item IV: #2018-046-A: Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to add the definitions of Temporary signage by amending Section 2.2-Definitions, and to amend Section 7.2.E.10 a and b for Maximum Size/Area – Signage. *Statutorily received on July 17, 2018. Commission initiated.*

Mr. Katz motioned, Mr. Dunphy seconded to waive the reading of the Legal notice. Motion carried 9-0. Public Hearing was opened and continued to 10/23/2018

Item V: #2018-047-A: Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to amend the Section 7.2.D.2.b. and d. Maximum Size/Area and Section 7.2.E.11 Maximum Number Size/Area-Signage. *Statutorily received on July 17, 2018. Commission initiated.*

Mr. Dunphy motioned, Mr. Robbins seconded to waive the reading of the Legal notice, Motion carried 9-0. Public Hearing was opened and continued to 10/23/2018.

Item VI: #2018-052-A: Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to amend Section 5.3.D.27. and Section 5.3.D.27.b and remove Section 5.3.D.27.a. *Statutorily received on July 17, 2018. Commission initiated.*

Mr. Cascella motioned, Mr. Zeck seconded to waive the reading of the Legal notice, Motion carried 9-0. Public Hearing was opened and continued to 10/23/2018.

The Public Hearings were closed at 10:50 pm.

Hearing no further discussion, the Chair adjourned the Public Hearing at 10:45 P.M.

Respectfully Submitted,

Kara Illium

APPROVED/REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

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September 19, 2018

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

Also Present: Richard Baldelli, Director of Planning and Zoning
Beth Peyser, Inland Wetlands Agent & Conservation Enforcement Officer
Kara Illium, Recording Secretary

Public Hearings by the Inland Wetland Board and Planning and Zoning Commission were held prior to the Inland Wetland Board Meeting.

The Chair called the meeting to order at 10:45 pm.

PENDING ITEMS

1. **#2018-054-AH-SR:** Summary Ruling application under Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations for grading and related work in an upland review area on property consisting of ± 3.33 acres located at **233 Danbury Road** in the RAA Zone. *Statutorily received on July 24, 2018. Site walked on July 29, 2018. 35 days to render a decision is October 24, 2018. Owner/Applicant: CGP Danbury Road, LLC. Authorized Agent: Robert R. Jewell, Esq. For possible discussion and action.*

Public Hearing has been continued to 10/09/2018.

NEW ITEMS

No new items.

BOARD WALKS

October 21, 2018

1. **#2018-061-AH-SR:** Summary Ruling Application, 84 Governor St LLC.
2. **#2018-062-AH-PR:** Plenary Ruling Application, 62 Prospect Ridge LLC.

REQUESTS FOR BOND RELEASES/REDUCTION - none

CORRESPONDENCE - none

MINUTES

For approval:

Mr. Cascella motioned, Mr. Dunphy seconded to approve the Meeting Minutes for September 4 as amended. Motion carried 9-0.

For distribution:

No minutes for distribution.

PUBLIC HEARINGS

September 19, 2018

- **#2018-054-AH-SR:** Summary Ruling application, 233 Danbury Road, CGP Danbury Road, LLC.
- **#2018-056-A:** Amendment application, Section 4.5

September 25, 2018

- **(Continued) #2018-053-PR-SP:** Plenary Ruling Application, 340 Peaceable Street, Peaceable LLC

October 23, 2018

- **#2018-056-A:** Amendment application, Section 4.5

November 07, 2018

- **#2018-061-AH-SR:** Summary Ruling Application, 84 Governor Street, 84 Governor St LLC
- **#2018-062-AH-PR:** Plenary Ruling Application, 62 Prospect Ridge Road, 62 Prospect Street LLC.

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION

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September 19, 2018

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

Also Present: Richard Baldelli, Director of Planning and Zoning
Kara Illium, Recording Secretary

A meeting of the Inland Wetland Board as well as Public Hearings by the Inland Wetland Board and Planning and Zoning Commission were held prior to the Planning and Zoning Commission Meeting.

At 10:50 pm, the Chair called the meeting to order.

1. **#2018-042-SP:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.3.D.1 for a Major home occupation, "Sacred Waters LLC." The revised application includes screening of the equipment, trailer, and requests for the waiver of the application fees, at **6 Clearview Drive** in the RA Zone. *Statutorily received on July 17, 2018. 35 days to close public hearing is October 24, 2018. Owner: Estate of Betty Keegan. Applicant: John Keegan. Authorized Agent: Robert R. Jewell, Esq.*

**Mr. Katz motioned, Mr. Hanlon seconded to waive the application fees.
Motion passed 8-1.**

Mr. Hanlon motioned, Mr. Robbins seconded to approve a Draft Resolution of Approval. Motion passed 6-3.

2. **#2018-054-AH-SR:** Application for multi-family development under Section 8-30g of the Connecticut General Statutes(Affordable Housing) for construction of thirty (30) age restricted units, of which 30% of the units shall be affordable, and per Ridgefield Zoning Regulations Section 7.5.D.5 for earth processing, including rock-crushing and soil screening activities for a property consisting of ± 3.33 acres located at **233 Danbury Road** in the RAA Zone. *Statutorily received on July 24, 2018. Site walked on July 29, 2018. 65 days to render a*

decision November 23, 2018. Owner/Applicant: CGP Danbury Road, LLC. Authorized Agent: Robert R. Jewell, Esq. For possible discussion and action.

Public Hearing continued to 10/09/2018.

3. **#2018-045-A:** Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to add the Section 5.3.C.12: Food retail/serving and Section 5.3.D.5.d: flooring, granite marble. *Statutorily received on July 17, 2018. Commission initiated.*

The Public Hearing has been continued to 10-23-18.

4. **#2018-046-A:** Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to add the definitions of Temporary signage by amending Section 2.2-Definitions, and to amend Section 7.2.E.10 a and b for Maximum Size/Area – Signage. *Statutorily received on July 17, 2018. Commission initiated.*

The Public Hearing has been continued to 10-23-18.

5. **#2018-047-A:** Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to amend the Section 7.2.D.2.b. and d. Maximum Size/Area and Section 7.2.E.11 Maximum Number Size/Area-Signage. *Statutorily received on July 17, 2018. Commission initiated.*

The Public Hearing has been continued to 10-23-18.

6. **#2018-052-A:** Regulation Amendment Application to the Town of Ridgefield Zoning Regulations to amend Section 5.3.D.27. and Section 5.3.D.27.b and remove Section 5.3.D.27.a. *Statutorily received on July 17, 2018. Commission initiated.*

The Public Hearing has been continued to 10-23-18.

NEW ITEMS

There were no new items.

COMMISSION WALKS

October 21, 2018

1. **#2018-061-AH-SR:** Affordable Housing application, 84 Governor Street, 84 Governor St LLC.
2. **#2018-062-AH-PR:** Affordable Housing application, 62 Prospect Ridge Road, 62 Prospect Ridge LLC.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for Bond releases or reductions.

CORRESPONDENCE

1. Peer Review Engineering Comments regarding 340 Peaceable Street.
2. Letter from Aquarion Water regarding 233 Danbury Road.

MINUTES

For approval:

Mr. Katz motioned, Mr. Dunphy seconded to approve the Meeting Minutes for September 4 as amended. Motion carried 9-0.

For Distribution:

There were no Meeting Minutes distributed.

PUBLIC hearings

September 19, 2018

- **#2018-042-SP:** Special Permit Application. 6 Clearview Drive. Applicant: John Keegan.
- **#2018-045-A:** Amendment Application, Section 5.3.C.12 and Section 5.3.D.5
- **#2018-046-A:** Amendment Application, Section 2.2 and 7.2.E.10 a. and b.
- **#2018-047-A:** Amendment Application, Section 7.2.D.2.b and d. and Section 7.2.E.11
- **#2018-052-A:** Amendment Application, Section 5.3.D.27 a. and b.
- **#2018-054-AH-SR:** Affordable Housing application, 233 Danbury Road, CGP Danbury Road, LLC

September 25, 2018

- **(Continued) #2018-053-PR-SP:** Special Permit Application, 340 Peaceable Street, Peaceable LLC

November 07, 2018

- **#2018-061-AH-SR:** Affordable Housing Application, 84 Governor Street, 84 Governor St LLC
- **#2018-062-AH-PR:** Affordable Housing Application, 62 Prospect Ridge Road, 62 Prospect Street LLC

Hearing no further discussion, the Chair adjourned the meeting at 11:09 P.M.

Respectfully Submitted,

Kara Illium

APPROVED/REVISED
MINUTES
AQUIFER PROTECTION AGENCY

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September 19, 2018

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

Also Present: Richard Baldelli, Director of Planning and Zoning
Kara Illium, Recording Secretary

Meetings were held by the Inland Wetland Board, the Planning and Zoning Commission, as well as Public Hearings by the Inland Wetland Board and Planning and Zoning Commission prior to the Aquifer Protection Agency Meeting.

At 11:09 P.M., Chair Mucchetti called the meeting to order.

PENDING ITEMS

There were no pending items on the Agenda.

NEW ITEMS

1. Discussion on Road Salt. c/o Chair.
 - Two towns in Connecticut, Sherman and Brookfield, are reporting high levels of salt in residential wells.
 - CT DEEP is in Sherman testing their wells
 - Road salt on state roads is suspected as the cause.
 - Danbury NewsTimes articles reporting on the contamination were distributed.
2. Training for APA. c/o Chair.
 - Ms. Mucchetti reminded that there is no fee for this online training course.
 - Mr. Katz, Mr. Dowdell, and Mr. Dunphy mentioned that they had difficulty registering for the training; this technical issue needs to be addressed.
 - Mr. Cascella and Ms. Mucchetti have completed the course.

CORRESPONDENCE

There was no correspondence.

MINUTES

For Approval:

There were no Meeting Minutes for approval.

For Distribution:

There were no Meeting Minutes for distribution.

Hearing no further discussion, the Chair adjourned the meeting at 11:12 P.M.

Respectfully Submitted,

Kara Illium