

APPROVED/REVISED
MINUTES
INLAND WETLAND BOARD
PUBLIC HEARING

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

October 23, 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
Gail Henessey, Recording Secretary
Aarti Paranjape, Office Administrator

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

At 7:57 P.M., Chair Mucchetti called the meeting to order.

Item I: #2018-056-A: Regulation Amendment application to the Town of Ridgefield Inland Wetlands and Watercourses to amend Section 4.5 – Special Provisions: Upland Review Area Boundaries. *Board initiated*

Ms. Peyser presented the regulation amendment. She said that if a Town department (DPS/Highway) has to perform work within a drainage easement, the DPS can contact the Inland Wetland Agent for the administrative approval without having to get an approval from the Inland Wetlands Board. This amendment will be helpful especially for time sensitive projects. This will also expedite the maintenance projects which are conducted by Town departments, (DPS/Highway).

The Public Hearing was closed at 8:01pm.

Item II: #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. Cascella motioned, Mr. Zeck seconded to waive the reading of the Legal notice. Motion carried 9-0.

Mr. Baldelli presented the application to amend the Temporary sign regulation.

Public Hearing was closed at 7:41PM.

Item III: #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. Fossi motioned, Mr. Robbins seconded to waive the reading of the Legal notice, Motion carried 9-0.

Mr. Baldelli presented the application and stated how the McKenzie decision has impacted the current regulation.

Public Hearing was closed at 7:48PM.

Item IV: #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. Katz motioned, Mr. Dowdell seconded to waive the reading of the Legal notice, Motion carried 9-0.

Mr. Baldelli presented the amendment application to permit by Special permit, auto sales in B-2 Zone on a minimum parcel of one (1) acre.

Public Hearing was closed at 7:57PM.

Item V: #2018-063-SP: Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 5.2.D.13 for change of use to Educational Use, at **28 Prospect Street** in the CBD Zone. *Statutorily received on October 02, 2018. Public hearing held on October 23, 2018. 35 Days to close a public hearing is November 06, 2018. Owner: Gorgeous Associates, LLC. Applicant: Semia Education Technology, Inc. Authorized Agent: Robert R. Jewell, Esq*

Mr. Zeck motioned, Mr. Hanlon seconded to waive the reading of the Legal notice, Motion carried 9-0.

Mr. Jewell presented the application for the Special Permit for change of use to Educational Use. He stated that the business will share a common parking area and he calculated there are twenty four (24) extra spaces on site to accommodate this use. He said there are no changes in the exterior of the building. Mr. Jewell said there will be up to ten students in two classes and four instructors. Mr. Jewell mentioned the applicant proposes to hold birthday parties for around fifty (50) people. Baldelli confirmed that the Educational Use is permitted but requires a special permit and the proposed use has no adverse impact.

Public hearing was closed at 7:15PM.

The Public Hearings were closed at 7:57 pm.

Hearing no further discussion, the Chair adjourned the Public Hearings at 7:57 P.M.

Respectfully submitted,

Aarti Paranjape

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INLAND WETLAND BOARD

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Rebecca Mucchetti, Chair
Joseph Fossi, Vice Chair

Also Present: Richard Baldelli, Director of Planning and Zoning
Beth Peyser, Inland Wetlands Agent & Conservation Enforcement Officer
Gail Henessey, Recording Secretary
Aarti Paranjape, Office Administrator

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

The Chair called the meeting to order at 8:01PM.

For the record, Item 3 was discussed before Item 1 and followed by Item 2.

PENDING ITEMS

- #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 November 13, 2018. Owner/Applicant: CGP at Danbury Road, LLC. Authorized Agent: Robert R. Jewell, Esq. For possible discussion and action.*

Mr. Katz motioned, Mr. Fossi seconded to have a Draft Resolution of Approval to be on agenda for November 07, 2018. Motion carried 9-0.

- #2018-056-A:** Regulation Amendment application to the Town of Ridgefield Inland Wetlands and Watercourses to amend Section 4.5 –Special Provisions: Upland Review Area Boundaries. *Board initiated. For discussion and possible action.*

Mr. Katz motioned, Mr. Hanlon seconded to approve the regulation amendment as presented. Effective date November 09, 2018. Motion carried 9-0.

- #2018-064-SR:** Summary Ruling application under Section 7.5 of the Town of Ridgefield Inland Wetlands and Watercourses Regulations to remedy a violation (XR# 2018-033-WV) including mitigation of the disturbed regulated area at **18 Hayes Lane** in the RA Zone. *Site Walked on October 23, 2018. Owner: Vladimir Urbanak. Applicant: John Urbanak. Authorized Agent: Ralph Gallagher Jr, P.E. For possible discussion and action*

Ms. Peyser explained to the Board that this application is a remedy to a violation. Since the violation was issued to the applicant, the site has not been disturbed and the activity was immediately stopped.

The Board agreed that the site should be stabilized especially without disturbing the wetlands.

Ms. Peyser advised that due to the end of growing season, and the remediation work/ planting should start in the spring of 2019, based on the condition of ground (no snow and wet ground).

Ms. Peyser stated that the condition of approval would state that the applicant contact the Inland Wetland Agent when the conditions becomes favorable at the site to perform the work in Spring of 2019. The work should be complete in one year.

Mr. Katz motioned, Mr. Robbins seconded to approve the Summary Ruling application with condition whereas applicant will stabilize the site beginning the spring of 2019. Motion carried 9-0.

NEW ITEMS

1. Discussion of 2019 Meeting Calendar. % Chair

Mr. Fossi motioned, Mr. Hanlon seconded to approve the Meeting Calendar for 2019. Motion carried 9-0.

BOARD WALKS

November 18, 2018

1. **#2018-065-SP-SR-VDC**, 23 & 23^{1/2} Catoonah Street, Sturges Properties LLC.
2. **#2018-067-S-AH-SR**, 28 Great Hill Road, CV Building Concepts Inc.

REQUESTS FOR BOND RELEASES/REDUCTION - No bond requests.

CORRESPONDENCE - none

MINUTES

For approval:

Mr. Katz motioned, Mr. Hanlon seconded to approve the Meeting Minutes for October 09, 2018 as amended. Mr. Fossi abstained. Motion carried 8-0.

Mr. Hanlon motioned, Mr. Katz seconded to approve the Meeting Minutes for October 16, 2018 as amended. Ms. Muchetti abstained, Mr. Cascella recused. Motion carried 7-1-0.

For distribution: No minutes for distribution.

PUBLIC HEARINGS

October 23, 2018

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

October 30, 2018 (Continued)

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

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.

November 13, 2018 (Continued)

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

November 20, 2018 (Continued)(Tentative)

- **#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.

November 30, 2018 (Continued)

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

December 04, 2018

- **#2018-065-SP-SR-VDC:** Summary Ruling Application, 23 & 23^{1/2} Catoonah Street

December 12, 2018 (Continued)

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

December 18, 2018

- **#2018-067-AH-SR,** Summary Ruling Application, 28 Great Hill Rd.

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION

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October 23, 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
Gail Henessey, Recording Secretary
Aarti Paranjape, Office Administrator

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.

For the record, the Item 1 and 6 on Pending items were discussed first, followed by this order under New items 1, 3, 5, 4, 2 and then under Pending items 2, 3, 4 and 5.

At 8:34 pm, the Chair called the meeting to order.

- #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. Public hearing closed on October 09, 2018.65 days to render a decision December 13, 2018. Owner/Applicant: CGP at Danbury Road, LLC. Authorized Agent: Robert R. Jewell, Esq. For discussion and possible action.*

Mr. Katz stated that the application meets the 8-30g requirements. The Commission unanimously voted to put the draft resolution of approval on the November 07, 2018 meeting agenda.

Mr. Hanlon motioned, Mr. Cascella seconded to put the draft resolution of approval for the affordable housing application on the agenda at November 07, 2018 meeting. Motion carried 9-0.

2. **#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.*

After a brief discussion wherein the Commission determined that the maximum seating for food retail is fourteen (14) seats

Mr.Fossi motioned, Mr. Robbins seconded to approve the regulation amendment application. Effective date November 09, 2018. Motion carried 9-0.

3. **#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.*

After brief discussion the proposed time period a temporary sign may be displayed was decided for forty-five (45) days.

Mr. Hanlon motioned, Mr. Robbins seconded to approve the regulation amendment Application as amended. Effective date November 09, 2018. Motion carried 8-1.

4. **#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 Commission acknowledged the impact of the McKenzie decision and its effect on the current regulation.

Mr. Katz motioned, Mr. Robbins seconded to approve the regulation amendment application. Effective date November 09, 2018. Motion carried 9-0.

5. **#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.*

Upon a brief discussion, the Commission agreed to add motor vehicle sales as an allowed use in the B-2 Zone.

Mr. Robbins motioned, Mr. Hanlon seconded to approve the regulation amendment Application as amended. Effective date November 09, 2018. Motion carried 7-2.

6. **#2018-063-SP:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 5.2.D.13 for change of use to Educational Use, at **28 Prospect Street** in the CBD Zone. *Statutorily received on October 02, 2018. Public hearing held on October 23, 2018. 35 Days to close a public hearing is November 06, 2018. Owner: Gorgeous Associates, LLC. Applicant: Semia Education Technology, Inc. Authorized Agent: Robert R. Jewell, Esq. For possible discussion and action.*

The Commission acknowledged that the proposed use is permitted within the CBD zone and at this location it will not have any negative impacts and it will be an asset to the surrounding area and business zone.

Mr. Zeck motioned, Mr. Robbins seconded to approve the Special permit application as presented. Effective date November 02, 2018. Motion carried 9-0.

NEW ITEMS

1. **#2018-069-PRE:** Pre-submission concept for the development of the parcels located at **Wilridge Road and 3 Park Lane** in the B-1 Zone. Statutorily received on October 16, 2018. *For discussion.*

Mr. Joe Ancona presented his development concept for the properties located at Wilridge and Park Lane. Mr. Ancona stated that the property is in the B-1 zone which only permits residential on second floor and business on the first floor.

He proposed to have only residential development for the property which is less than one (1) acre. He said the property would meet the septic requirements for 14 apartments. He suggested to the Commission to either change the zoning designation or modify the current B-1 zone to accommodate this proposal.

The Commission suggested under 8-30g application he could propose having all residential without complying with the retail component of the B-1 Zone.

Mr. Ancona stated that he has been trying to develop the property for last ten (10) years and would like to come up with a project which will be favorable.

Mr. Katz stated that the Commission cannot change zone for the economic reasons.

2. **#2018-070-SP:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.2.C.2 to add an indoor gathering space to the church and add accessible entry area and bathroom facilities for a property located at **54 Catoonah Street** in the R7.5 Zone. *Statutorily received on October 16, 2018. Owner/Applicant: St. Mary's Corporation. Authorized Agent: Robert R. Jewell, Esq. For scheduling a site walk and Public Hearing.*

Mr. Dunphy motioned, Mr. Dowdell seconded to schedule a site walk on 12/02/2018 and Public hearing on 12/18/2018 and to approve engineering peer review. Motion carried 9-0.

3. **#2018-072-VDC:** Village District Application per Section 8.3 under Section 5.1.B of the Town of Ridgefield Zoning Regulations for wall sign in the front of the building for three tenants located at **16 Bailey Avenue** in the CBD Zone. *Owner/Applicant: Vanacker Partners LLC. For receipt, discussion and possible action.*

The Commission acknowledged the VDC approval granted earlier in the evening.

Mr. Fossi motioned, Mr. Robbins seconded to approve the Village district application as presented. Effective date November 02, 2018. Motion carried 9-0.

4. **#2018-073-REV(SP):** Revision to Special Permit per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 7.5.D.4.5 to use the screening and crushing equipment for a property located at **153 West Mountain Road** in the RAAA zone. *Owner/Applicant: 153 West Mountain Road LLC. Authorized Agent: Artel Engineering Group, LLC. For receipt and discussion and possible action.*

Mr. Nazzaro presented the application to use the rock crusher and screener at the property. He stated that the activity will last only for three weeks with working hours limited to 7:30PM to 4:30 PM.

Mr. Fossi motioned, Mr. Zeck seconded to receive and approve the revision to special permit to use the rock crusher and screening on the property. Effective date November 09, 2018. Motion carried 9-0.

5. **#2018-074-VDC:** Village District Application per Section 8.3 under Section 5.1.B of the Town of Ridgefield Zoning Regulations for wall sign in the front of the building including Shutters, outdoor lights, painting the front façade and awning for a property located at **31 Bailey Avenue** in the CBD Zone. *Owner: PRP Inc. Applicant: Dr. Nick Ritzcovan, Hometown Dental Inc. For receipt and discussion and possible action.*

The applicant attended the Architectural Advisory Committee meeting and members of AAC recommended some modifications.

The Village District application will be on the November 07, 2018 agenda for discussion.

6. Discussion on 2019 Meeting schedule. % Chair

Mr. Cascella motioned, Mr. Robbins seconded to approve the meeting calendar for 2019 as presented. Motion carried 9-0.

7. Assistant Planner update. % Chair and Director.

Ms. Mucchetti updated the Commission on the appointment of the new Assistant Planner Mr. Daniel Robinson. He will begin Tuesday, October 30, 2018.

8. **The Chair asked for a motion to add receipt of a Special Permit application for outdoor light poles in excess of 24 ft at 340 Peaceable St.**

Mr. Fossi motioned and Mr. Hanlon seconded to raise to the agenda receipt of the Special Permit application. Mr. Cascella recused. Motion carried 8-1-0.

Mr Hanlon motioned, Mr. Robbins seconded to schedule a public hearing for 11/13/2018. Mr. Cascella recused. Motion carried 8-1-0

COMMISSION WALKS

November 18, 2018

1. **#2018-065-SP-SR-VDC**, 23 & 23^{1/2} Catoonah Street, Sturges Properties LLC.
2. **#2018-66-SP**, 36 Danbury Road, 36 Danbury Road LLC
3. **#2018-067-S-AH-SR**, 28 Great Hill Road, CV Building Concepts Inc.

December 02, 2018

1. **#2018-070-SP, Special Permit Application**, 54 Catoonah Street, St. Mary's Corporation.

REQUESTS FOR BOND RELEASES/REDUCTION

1. **#2015-041-PR-SP**, 77 Sunset Lane. Request for release of \$2,500 bond posted for irrigation System.

Mr. Katz motioned, Mr. Cascella seconded to approve 100% release of the \$2500.00 bond. Motion carried 9-0.

CORRESPONDENCE

1. Mr. Michael Eppoliti's letter in support of the proposed Regulations amendments.
2. Planner's report for 84 Governor Street and 62 Prospect Ridge Road.
3. Architectural renderings on 23 and 23^{1/2} Catoonah Street.
4. Quarterly newsletter of Connecticut Federation of Planning and Zoning Agencies.

MINUTES

For approval:

Mr. Fossi motioned, Mr. Hanlon seconded to approve the Meeting Minutes for October 02, 2018. Ms. Mucchetti abstained. Motion carried 8-0.

Mr. Hanlon motioned, Mr. Robbins seconded to approve the Meeting Minutes for October 09, 2018 as amended. Mr. Fossi abstained. Motion carried 8-0.

Mr. Fossi motioned, Mr. Hanlon seconded to approve the Meeting Minutes for October 09 as amended. Ms. Mucchetti abstained. Mr. Cascella recused. Motion carried 7-1-0.

For Distribution:

There were no Meeting Minutes distributed.

PUBLIC hearings**October 23, 2018**

- **(Continued) #2018-045-A:** Amendment Application, Section 5.3.C.12 and Section 5.3.D.5
- **(Continued) #2018-046-A:** Amendment Application, Section 2.2 and 7.2.E.10 a. and b.
- **(Continued) #2018-047-A:** Amendment Application, Section 7.2.D.2.b and d. and Section 7.2.E.11
- **(Continued) #2018-052-A:** Amendment Application, Section 5.3.D.27 a. and b.

October 30, 2018 (Continued)

- **#2018-053-PR-SP:** Special Permit Application, 340 Peaceable Street, 340 Peaceable St 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

November 13, 2018 (Continued)

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

November 20, 2018 (Tentative)

- **(Continued) #2018-061-AH-SR,** Affordable Housing application, 84 Governor Street, 84 Governor St LLC
- **(Continued) #2018-062-AH-PR,** Affordable Housing application, 62 Prospect Ridge Road, 62 Prospect Ridge LLC.

November 27, 2018 (Continued)

- **#2018-053-PR-SP:** Special Permit Application, 340 Peaceable Street, 340 Peaceable St LLC.

December 04, 2018

- **#2018-065-SP-SR-VDC:** Special Permit Application, 23 & 23^{1/2} Catoonah Street, Sturges Properties LLC.
- **#2018-066-SP,** Special Permit Application, 36 Danbury Road, 36 Danbury Road LLC.

December 12, 2018 (Continued)

- **#2018-053-PR-SP:** Special Permit Application, 340 Peaceable Street, 340 Peaceable St LLC.

December 18, 2018

- **#2018-067-S-AH-SR**, Subdivision and Affordable Housing Application, 28 Great Hill Road, CV Building Concepts Inc.

December 18, 2018

#2018-070-SP, Special Permit Application, 54 Catoonah Street, St Mary's Corporation.

Hearing no further discussion, the Chair adjourned the meeting at 9:48 P.M.

Respectfully Submitted,

Aarti Paranjape