



TOWN OF RIDGEFIELD Planning and Zoning Commission

APPROVED/REVISED MINUTES PLANNING AND ZONING COMMISSION Zoom Webinar Public Hearing

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

May 10, 2022 Present: Susan Consentino
Elizabeth DiSalvo
Joseph Dowdell (Vice Chair)
Robert Hendrick (Chair)
John Katz
Christopher Molyneaux (Arrived: 7:05 p.m.)
Ben Nneji
Mariah Okrongly
Joseph Sorena

Also Present: Alice Dew, Director of Planning & Zoning and ZEO
Eileen White, Recording Secretary

1. CALL TO ORDER

Chair Hendrick called the Meeting to Order at 7:00 p.m. via the Hybrid Model. A quorum was established.

The Chair gave an overview of the Special Permit Application procedure and the expected need for several more Public Hearings to have all testimony and public comment received for **34 Bailey Avenue**. A quorum was established.

1.1. Distribution of agenda & previous minutes.

1.2. Distribution/acknowledgement of correspondence

- 1.2.1. From Ms. McLean Re:34 Bailey Ave (April 28, 2022)
- 1.2.2. Letter from residents of Ballard Green Re: Affordable Housing Plan (May 04, 2022)
- 1.2.3. Email from Ms. Noyes (May 01, 2022)
- 1.2.4. Letter from Parking Authority Re: 34 Bailey Ave (May 09, 2022)
- 1.2.5. Authorization letter.
- 1.2.6. Basic Narrative Revision.



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- 1.2.7. Site Development Plans by CCA (Revised 3/3/22).
- 1.2.8. Soils Report
- 1.2.9. Soils Map
- 1.2.10. Schematics
- 1.2.11. Traffic Report
- 1.2.12. Development Report
- 1.2.13. Inland Wetlands Board Resolution
- 1.2.14. ZBA Approval
- 1.2.15. IWB Corrective Action Plan (dated 9/29/21) by Environmental Land Solutions, LLC)
- 1.2.16. Drainage Area Maps
- 1.2.17. Drainage Report
- 1.2.18. Water Service Letter
- 1.2.19. Property Topography Survey
- 1.2.20. Revised Sheet C2 Zoning Table
- 1.2.21. IWB Adopted Resolution
- 1.2.22. Watershed Aquiver Area Project Notification
- 1.2.23. Department of Health Notification
- 1.2.24. Fire Chief E-mail
- 1.2.25. Letter from Building Official
- 1.2.26. Photometrics Plan
- 1.2.27. Health Department Response
- 1.2.28. Historical District Commission Letter
- 1.2.29. Highway Department Comments
- 1.2.30. Fire Marshall E-mail
- 1.2.31. Certificate of Notice to Abutting Properties
- 1.2.32. Response to the Building Official
- 1.2.33. Peer Review and E-Mail to Building Department
- 1.2.34. E-Mail from Building Department
- 1.2.35. Communication from WPCA
- 1.2.36. Certificate of Notice to Condominium Association
- 1.2.37. Letter from J. MacLean
- 1.2.38. Legal Notice (which was already read)
- 1.2.39. Planning & Zoning Site walk Minutes
- 1.2.40. Water Company Notice
- 1.2.41. Return Certificate Receipts from Neighbors
- 1.2.42. AAC and VDC Comments
- 1.2.43. Legal Notice
- 1.2.44. Photo of Traffic Generation
- 1.2.45. Assessor's Map
- 1.2.46. Project Prospector Corridor GIS Map
- 1.2.47. Prospector Theatre and Library Images
- 1.2.48. Photo Image – Ridgefield Supply



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- 1.2.49. Schematics
- 1.2.50. Letter from the Energy Task Force
- 1.2.51. Parking Authority Comments and Attachment
- 1.2.52. Planning and Zoning Referral Letter that was sent to various commissions
- 1.2.53. Landscape Plan
- 1.2.54. Traffic Report
- 1.2.55. Gravel Exhibit (Site Plan showing the existing gravel in relation to the exhibited gravel)
- 1.2.56. Aerial Plan
- 1.2.57. Staff Report by Ms. Dew
- 1.2.58. TJ Engineering Peer Review
- 1.2.59. Historic District Commission Letter
- 1.2.60. ECDC Letter
- 1.2.61. Photo of parking lot
- 1.2.62. Letter from Ms. Jacqueline Van Meeter addressed to First Selectman Marconi received on May 10, 2022 and read into the Record in full by Ms. Dew

1.3. Approval of agenda

2. PUBLIC HEARING

- 2.1. **SP-22-4, 34 Bailey Avenue:** Special Permit Application per Section 9.2 and per Section 5.1.D of the Town of Ridgefield Zoning Regulations for new construction of mixed use building with 3 commercial units on first floor and 25 residential units in the CBD zone. *35 Days to close a public hearing is June 14, 2022. Owner: Bailey Rail and Granary LLC./Applicant: Robert R. Jewell.*

Ms. Dew read the Legal Notice and acknowledged all the correspondence received in order of receipt. This list of new correspondence was added into the Record under Correspondence.

Attorney Robert Jewell presented the Application, including conveying a history of the site. Mr. Jewell's presentation included that the proposed Application was for 3,595 square feet of commercial space and that the Inland Wetlands Board had heard three separate hearings in the Summer of 2021 and had given unanimous approval to the project.

Attorney Jewell furthered that this project was very much similar to the Ridgefield Library Renovation in that much care is being taken to preserve what can reasonably be saved historically and to adhere to State of Connecticut environmental standards. Mr. Jewell stated that there are no affordable units in the proposed project and that the project is in line with Chapter 12 of the Plan of Conservation and Development ("POCD") in its mixed uses consistency.



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Mr. James Ciaglo, LEP, of Berkshire Environmental Services and Technology, gave a report of the planned contamination remediation, which included that the site contains “dirty dirt” of coal ash, lead, arsenic, pesticides and in the southern end of the property, seven feet down, heating oil. Mr. Ciaglo stated that it is estimated that there are 3,000 yards of contaminated material.

Comments from the Commissioners included asking if a health and safety plan was in place, given the location of the site and if the Inland Wetlands Board was notified of the remediation plan. Mr. Jewell responded that a health and safety plan is required under OSHA and that the Inland Wetland Board had approved the remediation plan. Mr. Jewell added that environmental cleanup is not part of the Special Permit Application, since it does not need Planning and Zoning approval, but that the facts were being presented for the Commissioners’ understanding and that if the Planning and Zoning Commission had questions about their legal purview, they could consult Attorney Beecher.

Commissioner Katz asked if the Main Street Project was being considered with the timing of this project. Mr. Jewell said that the Library and the Prospector Theatre Projects were underway at the same time and far more material was unearthed than the Bailey Avenue project.

Mr. Bill Crosskey of Crosskey Architects of Hartford, Connecticut presented the architectural plan which included the commercial space with three entrances and the storefronts being designed to look like the original building.

Commissioner DiSalvo asked about the height of the proposed buildings. Mr. Jewell answered that the proposed heights were in line with existing regulations.

Landscape Architect Kate Throckmorton of Environmental Land Solutions of Norwalk, Connecticut, presented the landscape plan, which included the re-greening of the site with 78 new trees that are native to the area and 300 new shrubs. Ms. Throckmorton stated that .5 acre of greenery was being added to the site and that most of the trees that were coming down were Norway Maples.

Commissioner Okrongly stated that she appreciated the emphasis on native trees and shrubs.

Project Engineer Steve Sullivan of CCA presented the site development plan which included a total of 44 parking spaces, which include three handicapped spaces.

Commissioner Sorena asked Mr. Sullivan to explain minimizing runoff from going into the creek. Mr. Sullivan answered that every effort would be made to do so by a system of reducing peak flows with a retention system and catch basins.



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Mr. John Canning of Kimley Horn presented the Traffic Report, which included the projected activity of the Main Street Project and how the Main Street Project will improve matters with more cars and less trucks being prevalent.

Commissioner Okrongly asked if each housing unit would get two parking spaces. Mr. Jewell answered that that had not yet been determined.

The Chair asked that the Traffic Report be updated to include the daily traffic count. Mr. Canning said he would provide an update.

After more than two and a half hours of presentation, the Chair determined that Ms. Dew should present her Staff Report at the next hearing for this matter.

The following members of the public offered comment and/or questions:

- Ms. Lori Mazzola of Ridgefield Voters United;
- Mr. Jim Hurlbutt, President of Casagmo; and
- Ms. Elizabeth Reid

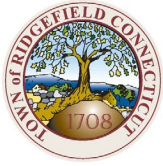
Questions from the public included why there are no affordable units in the proposed project and what happens if there is more contamination underground than already determined. The owner, who was present, stated that, though he is a proponent of affordable housing, the costs of preserving the existing building are great. Mr. Jewell conveyed that if environmental changes are more significant than already specified, approval would be sought from the Inland Wetlands Board.

In summarizing what is needed for the next hearing, Mr. Jewell stated that the following items would be prepared:

- Additional traffic analysis;
- Demographic information as required by Special Permit Application for proposed apartments/tenants;
- 3D heights from the Architect for Bailey Avenue and Big Shop Lane at higher points, with possibly both the bottom and the top views; and
- Addressing of Town Engineer's letter;

Mr. Jewell stated that all correspondence would be addressed, including that which comes in after this Public Hearing.

The Chair said that the following should also be addressed for the next Public Hearing:



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- Landscape buffer measurements around sides;
- Rendering from the apex of Bailey Avenue to the middle of Big Shop Lane to reflect mechanicals on the roof;
- Sidewalk 5 feet vs. 4 feet and bollards;
- More information on remediation plans; and
- Safety Plans.

Mr. Jewell stated that the DEEP has extensive plans on remediation.

The Public Hearing is Continued Until May 24, 2022.

3. OLD/CONTINUED BUSINESS

- 3.1. VDC-22-3, 34 Bailey Avenue:** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for new construction of mixed use building with 3 commercial units on first floor and 25 residential units in the CBD zone. *65 days to render a decision is June 09, 2022. Owner: Bailey Rail and Granary LLC./Applicant: Robert R. Jewell.*

The Chair stated that this matter would be double-checked for pertinence for the next Meeting.

This Matter is Continued Until May 24, 2022.

- 3.2. VDC-22-4; 395 Main Street.** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for wall sign “Houlihan Lawrence”. *65 days to render a decision is June 30, 2022. Owner: Addressi Square LLC. Applicant: Ashlea Andrews.*

The Chair stated that there was no news yet from the VDC Meeting this evening.

This Matter is Continued Until May 24, 2022.

- 3.3. PA 21-1 (Recreational cannabis establishments).** Discussion on BOS hearings & vote. Discussion on next steps required for PZC. % Chair.

The Chair stated that he and Ms. Dew spoke to Commission Attorney Beecher who is looking into several questions they posed to him.

This Matter is Continued Until May 24, 2022.



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- 3.4. **8-30j Affordable Housing Plan.** Update/discussion (if any) on drafting process.

The Chair stated that there are edits to the document and that the Commission told Mr. Goldenberg that they would be willing to help with the edits.

4. NEW BUSINESS

- 4.1. **VDC-22-5; 426 Main Street.** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for awning and vinyl covering and sign for “Tablao”. *Owner: Urstadt Biddle Properties Inc. Applicant: Gerardo Flores. For receipt and scheduling a discussion.*

Mr. Katz motioned, Mr. Nneji seconded, to Acknowledge Receipt and Schedule a Discussion for May 24, 2022. Motion carried 9-0.

- 4.2. **SP-22-6; 125 Danbury Road.** Revision to Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for exterior renovations to add 2 reverse vending machines in the front of the property. *Owner: Equity One (Copps Hill) Inc. Applicant: Sarah Schaffer. For receipt and scheduling a discussion.*

The Chair stated that he thought that Regulation 7.1.4 was pertinent to reverse vending machines and that a Special Permit Application might not be in order.

Mr. Sorena motioned, Ms. Okrongly seconded, to Acknowledge Receipt and Schedule a Discussion for May 24, 2022. Motion carried 9-0.

- 4.3. **SP-22-7; 55 Scott Ridge Road.** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for construction of detached 2-car garage in the front yard. *Owner: Howard & Jill Sharfstein. Applicant: Elizabeth DiSalvo. 65 days to schedule a Public hearing is July 14, 2022. For receipt and scheduling a sitewalk and Public Hearing.*

Mr. Nneji motioned, Ms. Okrongly seconded, Ms. DiSalvo was recused, to Acknowledge Receipt, Schedule a Site Walk for May 22, 2022 and a Public Hearing for June 14, 2022. Motion carried 8-0-1.



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- 4.4. **SP-22-8; 773 Ridgebury Road.** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per section 7.16.D.3 for construction of Solar panels in the front yard. Owner: Nicholas & Kiera Friedman. Applicant: Allyson Marroquin. *65 days to schedule a Public hearing is July 14, 2022. For receipt and scheduling a sitewalk and Public Hearing.*

Mr. Katz motioned, Ms. Okrongly seconded, to Acknowledge Receipt, Schedule a Site Walk for May 22, 2022 and a Public Hearing for June 14, 2022. Motion carried 9-0.

- 4.5. **SP-22-9; 439 Silver Spring Rd.** Revision to Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for construction of a 60'x 30' paddle court at Silver Spring Country Club. Owner: Flat Rock Corp. Applicant: Elizabeth Merrihew. *For receipt and scheduling a sitewalk and discussion.*

Mr. Nneji motioned, Ms. Okrongly seconded, to Acknowledge Receipt, Schedule a Site Walk for May 22, 2022 and a Public Hearing for June 14, 2022. Motion carried 9-0.

- 4.6. ARPA Funding: To Support ECDC for funding approval.

The Chair stated that the letter had not been sent out to the Commission that showed that a request was made to use \$50,000 to study the idea of a municipal broadband network that would reach those homes who do not have fiber optics. Commissioner Okrongly asked if the letter could be read, before further discussion. Ms. Okrongly's request was granted.

The Chair asked for consensus to add Casagmo to the Site Walk Schedule.

Ms. Okrongly motioned, Ms. Consentino seconded, to have a Site Walk at Casagmo on May 22, 2022. Motion carried 9-0.

- 4.7. **Approval of Minutes.**

- 4.7.1. Regular Meeting, April 26, 2022
- 4.7.2. Sitewalk Meeting, May 01, 2022
- 4.7.3. Special Meeting, May 04, 2022.

Mr. Katz motioned, Mr. Nneji seconded to approve all the aforementioned Minutes as amended. Motion carried 9-0.



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5. ADJOURN

Hearing no further discussion, the Chair adjourned the meeting at: 10:18 p.m.

Respectfully Submitted,

Eileen White