

# Planning and Zoning Commission

## APPROVED/ REVISED MINUTES

### TELECONFERENCE MEETING

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

May 12, 2020

Members Present: Susan Consentino  
Joseph Dowdell  
Joseph Fossi  
George Hanlon  
Robert Hendrick  
John Katz  
Rebecca Mucchetti, Chair  
Ben Nneji  
Charles Robbins, Vice Chair

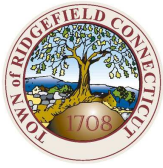
Also Present: Thomas Beecher, Planning and Zoning Commission Counsel  
Richard Baldelli, Director, Planning and Zoning/Zoning Enforcement Officer  
Karen Martin, Assistant Planner  
Aarti Paranjape, Office Administrator/ Recording Secretary  
Carroll Brewster, Ridgefield Conservation Commission  
Brian Smith, Attorney, Robinson & Cole

#### I. Call to order

At 7:00 p.m. Ms. Mucchetti called the meeting to order. Ms. Mucchetti gave an overview of the teleconference meeting protocol. Ms. Mucchetti stated that she will take a roll call for the Commission members present. She added that this is not a public hearing, hence only members of the Commission, Counsel and staff may speak and discuss the applications.

#### II: Old Business

1. **#2019-076-AH:** Affordable Housing application under Section 8-30g of the Connecticut General Statutes (Affordable Housing) to construct a Multi-family development with nine (9) units, with three (3) units to be deed restricted as affordable for a property consisting of  $\pm$  1.17 acres located at **Turner Road & Barnum Place (Assessor's ID B01-0002)** in CDD Zone. *Statutorily received on November 26, 2019. Site walked on December 08, 2019. Public hearing opened on January 14, 2020. 65 days to render a decision is May 07, 2020. 33-day extension was granted until June 09, 2020. Owner/Applicant:*



## Planning and Zoning Commission

*Black Oaks, LLC. Authorized Agent: Brian R. Smith, Esq., Robinson & Cole, LLP. For discussion and possible action.*

Chair Mucchetti opened the discussion and asked for comments from Counsel and Staff. Mr. Beecher gave an overview. Counsel stated that the Commission has three options (1) approve the application as presented, (2) modify and approve the application, or (3) deny the application. He added that in case of denial, the burden shifts to the Commission. Since this is an Affordable Housing application under CGS 8-30g, the denial can only be based on safety or health concerns.

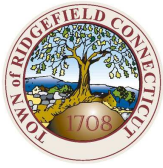
Mr. Baldelli stated that the peer review engineer's concerns were favorably addressed by the applicant. He added that if the Commission decides to approve the application, he would recommend that peer review be continued during the construction phase. He stated the applicant has approval from Aquarion and the WPCA. The AAC concerns were also satisfied by the applicant's revised plans. Due to changes on the revised plans, a grading easement from the neighboring property owner (Belimo) is no longer needed. He added that Inland Wetlands Board voted not to take the jurisdiction over this application. Mr. Baldelli said there is only one handicap accessible unit. The applicant has agreed to install sidewalks and a cross walk. He stated the applicant will submit a Storm Water Management Plan and an Affordable Housing Plan as part of a construction permit application.

Ms. Martin, said that the applicant has approached the office and would be submitting the Affordable Housing Plan according to the template created by Town.

Ms. Mucchetti asked the Commission members to state their comments. Mr. Dowdell, Mr. Fossi, Mr. Hanlon, Mr. Katz, Mr. Nneji, Ms. Mucchetti and Mr. Robbins, acknowledged that the applicant addressed the concerns raised by the Commission members and the public. The members agreed that applicant improved the stormwater management system. The members said that although there is only a single handicap accessible unit, and the affordable housing application does not have to meet the zoning regulations, the applicant did provide improvements to the project. As a result of those improvements, the project will have a low impact on the neighborhood. The concerns of fire Marshall were taken into consideration and the application was revised to provide better access to the rear of the building. Overall the applicant has made significant improvements. Members favored the approval of the application project.

Members, Ms. Consentino and Mr. Hendrick commented that although the applicant did improvements and revisions to the stormwater, but that they are concerned with the fire safety and traffic issues and said that these are health and safety concerns. They voted to deny the application.

**Mr. Fossi motioned, Mr. Robbins seconded, to approve the Affordable housing application as presented and amended, with condition to hire a peer review during the construction phase, along with the standard conditions of approval. The effective date is May 22, 2020. Motion carried 7-2-0.**



## Planning and Zoning Commission

### 1. POCD 2020:

- a. Following the Governor's Executive Order 7I, to authorize, 90-day extension period for the adoption of POCD 2020.
- b. Submit a waiver request letter to State of Connecticut requesting the deadline extension for 2020 POCD adoption.

Ms. Martin, gave an update about the status of POCD 2020. She noted that the Commission had held discussion and received inputs from various Boards, Committees and Departments. The next step is for the Commission to hold a Public Hearing. Due to the COVID -19 state-of-emergency, the proposed public hearing in April could not take place. The Board of Selectman has also not been able to present their comments. She said the office has received positive comments from WESTCOG. She added that the deadline to adopt the 2020 POCD is July 13, 2020. Under the given circumstances holding an in-person public hearing looks remote, however a virtual Public hearing may be scheduled. She said that the Governor's Executive order provides for a 90-day extension to adopt, however the current POCD must expire during the state-of-emergency in order to qualify to use the extension. If the State of Emergency is rescinded, the 90-day extension will expire in conjunction with the State of Emergency.

Ms. Martin said that Commission will have to hold a Public hearing in some sort of platform either virtual or in-person before the adoption date in July. She recommended that the Commission vote to authorize the 90-day extension.

**Mr. Hanlon motioned to authorize the 90-day extension for adoption of the 2020 POCD, Mr. Fossi seconded. Motion carried 9-0-0.**

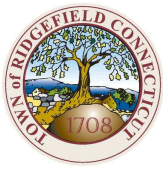
### III: Approval of Minutes:

March 03, 2020

**Mr. Katz motioned and Mr Fossi seconded to approve the March 03, minutes as amended. Motion carried 9-0-0.**

March 10, 2020

**Mr. Hanlon motioned and Mr. Fossi seconded to approve the March 10 minutes as amended. Motion carried 9-0-0.**



## Planning and Zoning Commission

### **IV: Adjourn:**

Hearing no further the Chair adjourned the meeting at 7:50PM.

Respectfully submitted by,

Aarti Paranjape

Recording Secretary