

APPROVED/REVISED
MINUTES
INLAND WETLANDS BOARD MEETING

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

January 2, 2018

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

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

Planning and Zoning Commission Public Hearings were held prior to the meeting.

At 9:45 PM Chairman Mucchetti called the meeting to order.

PENDING ITEMS

There were no pending items.

NEW ITEMS

1. Discussion on 2018 Meeting calendar.% Chair

Chairman Mucchetti explained that it was too far apart to have the Public meetings scheduled for the 1st and last Tuesday of the month so she suggested that the 1st and 3rd Tuesday of the month be Public meetings and the last Tuesday be the working meeting.

Mr. Hanlon motioned, Mr. Katz seconded to approve the new meeting schedule as presented. Motion carried 9-0.

BOARD WALKS

There were no Board walks scheduled.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

There was no correspondence.

**MINUTES – Inland Wetlands Public Hearing
For Approval:**

There were no Public Hearing Meeting Minutes to approve.

For Distribution:

There were no Public Hearing Meeting Minutes distributed.

MINUTES – Inland Wetlands Board

For Approval:

Vice Chairman Fossi motioned, Mr. Cascella seconded to approve the Board Meeting Minutes of December 19, 2017 as amended. Motion carried 9-0.

For Distribution:

There were no Board Meeting Minutes to distribute.

PUBLIC HEARINGS

There were no Public Hearings scheduled.

Hearing no further discussion, the Chair adjourned the meeting at 9:47 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary
(Per Audio Tapes)

APPROVED/REVISED
MINUTES
PLANNING & ZONING COMMISSION PUBLIC HEARING

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

January 2, 2018

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

Also Present: 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

Item I: (Continued): #2017-060-REZ: Zone Change Application per Section 9.2.C of the Town of Ridgefield Zoning Regulations to alter the zoning designation of **Governor Street, Assessor Map ID E15-0191& Map ID E15-0225 and 41 Governor Street** from RA zone to a CBD zone. *Statutorily received September 05, 2017. Site walked on September 10, 2017. Public hearing held on October 17, 2017. 35 days to close public hearing was November 21, 2017. 65 day extension granted until January 25, 2018. Applicant: Boys & Girls Club of Ridgefield, Inc. Authorized Agent: Bob Jewell, Esq.*

Also Present: Attorney Robert Jewell
Michael Flynn – Director, Boys and Girls Club
Members of the Public

Attorney Jewell gave a brief recap of his previous presentation explaining the difficulty of substantiating a hardship for a non-profit to go before the ZBA. He stated that this property has not been rezoned since 1946 and he believes that it is not properly zoned when looking at most of the properties around it. Understanding that contract zoning is not possible, Attorney Jewell is hoping that because only approximately 2.5 acres is usable and the remainder is wetlands and watercourses, a rezone of moving the CBD line 450' to the east would be approved. A brief discussion ensued.

The Public spoke, expressing their belief that the proposed zone change is not an acceptable avenue for the Boys and Girls Club to use for their proposed building expansion.

With nothing further, the Public Hearing closed.

Item II: (Continued): #2017-064-A: Regulation Amendment, New section 5.7-Mixed Use Overlay Zone within the Town of Ridgefield Zoning Regulations. *Statutorily received on September 26, 2017. Public hearing held on November 21, 2017 and December 19, 2017. 35 days to close public hearing was December 26, 2017. 8-Day extension granted until January 03, 2018. Commission initiated.*

Assistant Planner Schnell explained the one minor change on top of Page 4 where he added the words “rounded up”.

With nothing further, the Public Hearing closed.

Item III: #2017-082-A: Proposed Regulation amendment to Section 3.3.C.1, Accessory Dwelling Unit. *Statutorily received on December 19, 2017. 35 days to close public hearing is February 06, 2018. Commission initiated.*

Assistant Planner Schnell read the legal notice.

Also Present: Mr. Alan Pilch, Conservation Commission
 Mr. David Goldberg

Director Baldelli reviewed again the proposed Regulation and how this will help the smaller parcels, less than ½ acre which are served by the municipal sewer. Established was the following:

- Parking will be determined by proving there is room for two additional vehicles and the area does not need to be paved or graveled. Further, there must be room for all vehicles to turn around and for all vehicles to have ingress/egress.
- In response to a question from Alan Pilch, Director Baldelli clarified that septic/sewer will be determined by the Board of Health when the applicant applies for the building permit.
- The accessory dwelling does not go through P&Z or AAC but through a site plan approval. So architecturally, Director Baldelli and Assistant Planner Schnell will approve the final plans.

Without anything further, the Public Hearing closed.

Item IV: #2017-083-A: Amendment to Section 2.2- Defined Terms (“Yard Setback” Related Terms) and proposed new Section 7.14- Incidental Improvements. *Statutorily received on December 19, 2017. 35 days to close public hearing is February 06, 2018. Commission initiated.*

Assistant Planner Schnell read the legal notice.

Vice Chairman Fossi recused himself from the application and left the room.

Director Baldelli reviewed the proposed amendment and explained how due to a recent court decision wording in the above Regulation needs to be clarified.

Mr. Zeck questioned how this regulation contradicts another Regulation recently passed regarding sheds permitted near property lines. The Commission stated they would address this conflict at their upcoming working meeting.

Hearing nothing further, the Public Hearing was closed.

Item V: #2017-084-A: Amendment to Section 9.1.A.3.a. - Zoning Permit Application and Section 9.1.B.1. - Certificate of Zoning Compliance. *Statutorily received on December 19, 2017. 35 days to close public hearing is February 06, 2018. Commission initiated.*

Assistant Planner Schnell read the legal notice.

Again Director Baldelli reviewed the proposed amendment and explained how due to a recent court decision wording in the above Regulation needs to be clarified.

Hearing nothing further, this Pubic Hearing closed.

Hearing no further discussion, the Chair adjourned the meeting at 8:55 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary
(Per Audio Tapes)

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION MEETING

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January 2, 2018

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

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

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

At 8:55 PM Chairman Mucchetti called the meeting to order.

For the record, Items #1, 2, and #6 were heard first followed by Items #3 through #8.

PENDING ITEMS

1. **#2017-060-REZ:** Zone Change Application per Section 9.2.C of the Town of Ridgefield Zoning Regulations to alter the zoning designation of **Governor Street, Assessor Map ID E15-0191& Map ID E15-0225** and **41 Governor Street** from RA zone to a CBD zone. *Statutorily received September 05, 2017. Site walked on September 10, 2017. Public hearing held on October 17, 2017. 35 days to close public hearing was November 21, 2017. 65-day extension granted until January 25, 2018. 65 days to render a decision is March 08, 2018. Applicant: Boys & Girls Club of Ridgefield, Inc. Authorized Agent: Bob Jewell, Esq. For discussion and possible action.*

Commission consensus was although the Boys & Girls Club of Ridgefield is truly appreciated for all they do, this decision is a land use decision only. What might be good for the Boys & Girls Club at the moment could be a problem down the road should the property be sold and a different use which would be allowed in the CBD come in. Comments were made that other avenues need to be explored and that expanding a commercial zone into a residential zone is not good Zoning policy.

Mr. Katz motioned, Mr. Robbins seconded to deny the above Zone Change application as presented. Motion carried 8-1-0. Mr. Cascella opposed the denial.

2. **#2017-064-A:** Regulation Amendment, New section 5.7-Mixed Use Overlay Zone within the Town of Ridgefield Zoning Regulations. *Statutorily received on September 26, 2017. Public hearing held on November 21 and December 19, 2017. 35 days to close public hearing was December 26, 2017. 8-day extension granted until January 03, 2018. 65 days to render a decision is March 08, 2018. Commission initiated. For decision*

The Commission felt this Regulation was a good start to incentivize developers away from using 8-30g. There may be some tweaking to be done as the Regulation is used but as a whole Assistant Planner Schnell had captured the Commission's intent.

Mr. Katz motioned, Mr. Zeck seconded to adopt the above Regulation Amendment, Section 5.7 – Mixed Use Overlay Zone drafted 9-26-17 and amended, with an effective date of 1-12-18. Motion carried 8-0-1. Mr. Dunphy abstained.

3. **#2017-082-A:** Proposed Regulation amendment to Section 3.3.C.1, Accessory Dwelling Unit. *Statutorily received on December 19, 2017. 65-days to render a decision is March 08, 2018. Commission initiated. For discussion and action.*

The Commission felt that this proposed amendment was good for the Community by serving a need and assisting smaller parcels.

Vice Chairman Fossi motioned, Mr. Zeck seconded to adopt the above proposed Regulation Amendment to Section 3.3.C.1 drafted 12/19/17 and as presented, with an effective date of 1-12-18. Motion carried 9-0.

4. **#2017-083-A:** Amendment to Section 2.2- Defined Terms ("Yard Setback" Related Terms) and proposed new Section 7.14- Incidental Improvements. *Statutorily received on December 19, 2017. 65-days to render a decision is March 08, 2018. Commission initiated. For discussion and action.*

For the record, Vice Chairman Fossi was recused.

Mr. Katz motioned, Mr. Hanlon seconded to adopt the above proposed Regulation Amendment to Section 2.2 drafted 12/19/17 as presented, with an effective date of 1-12-18. Motion carried 7-1-1. Mr. Zeck voted against. Vice Chairman Fossi was recused.

5. **#2017-084-A:** Amendment to Section 9.1.A.3.a.- Zoning Permit Application and Section 9.1.B.1. - Certificate of Zoning Compliance. *Statutorily received on December 19, 2017. 65-days to render a decision is March 08, 2018. Commission initiated. For discussion and action.*

Mr. Katz motioned, Mr. Hanlon seconded to adopt the above Regulation Amendment to Section 9.1.A.3.a drafted 12/19/17 and as presented, with an effective date of 1-12-18. Motion carried 9-0.

NEW ITEMS

- 6. #2017-085-REV(S):** Revision to the Subdivision Adopted Resolution of Approval to modify condition number four (4) for property located at **23 Stonewall Lane** in the RAA Zone. *Owner: Mr. Shanholtz. For receipt, discussion and possible action.*

Also Present: Attorney Edward Schenkel
 Mr. Alan Pilch, Conservation Commission

It was determined that a patio, fire pit and fence had encroached into the conservation easement established back in 1997 as part of the original PRD Subdivision. As a violation remedy, a land swap was suggested. The Conservation Commission, the Wetlands Agent/Conservation Enforcement Officer Peyser and Director Baldelli all agreed that the swap would not create a negative impact to the adjoining open space or to zoning.

Mr. Katz motioned, Mr. Zeck seconded to approve the above revision to the Subdivision as presented and as a Final Resolution with standard conditions and the condition that a revised map be recorded with the Town Clerk and the modifications be completed by 6/30/17.

- 7. #2017-086-REV(SP):** Revision to Special Permit per Section 9.2 of the Town of Ridgefield Zoning Regulations to install a sound suppressing panels along the paddleball courts and to modify the paddle season to run from September 15 to April 1 at **439 Silver Spring Road** in the RAA Zone. *Owner/Applicant: Silver Spring Country Club. Authorized Agent: Robert R. Jewell, Esq. For receipt and scheduling a public hearing.*

Vice Chairman Fossi motioned, Mr. Cascella seconded to receive the above revision to the Special Permit, to schedule a Commission walk for 1/28/18 and to schedule a Public Hearing for 2/6/18. Motion carried 9-0.

- 8.** Discussion on 2018 Meeting calendar.% Chair.

Chairman Mucchetti explained that it was too far apart to have the Public meetings scheduled for the 1st and last Tuesday of the month so she suggested that the 1st and 3rd Tuesday of the month be Public meetings and the last Tuesday be the working meeting.

Mr. Hanlon motioned, Mr. Katz seconded to approve the new meeting schedule as presented. Motion carried 9-0.

COMMISSION WALKS

Scheduled 1/28/18

- **#2017-086-REV(SP):** Revision to Special **439 Silver Spring Road**,
Owner/Applicant: Silver Spring Country Club. Authorized Agent: Robert R. Jewell, Esq.

REQUESTS FOR BOND RELEASES/REDUCTION

There were no requests for bond release or reduction.

CORRESPONDENCE

1. A letter to Redding Planning Commission dated 12/21/17 regarding the referral of a Proposed Mixed Use Zone.
2. A memorandum dated 12/21/17 with attachments regarding the 2014 Charter Revision and the separation of P&Z and Inland Wetlands.

MINUTES – P&Z Public Hearing

For Approval:

Vice Chairman Fossi, Mr. Hanlon seconded to approve the Meeting Minutes of December 19, 2017 as amended. Motion carried 9-0.

For Distribution:

There were no Meeting Minutes distributed.

MINUTES – P&Z Commission

For Approval:

Vice Chairman Fossi motioned, Mr. Hanlon seconded to approve the Meeting Minutes of December 19, 2017 as amended. Motion carried 9-0.

For Distribution:

There were no Meeting Minutes distributed.

PUBLIC HEARINGS

Scheduled February 6, 2018

- **#2017-086-REV(SP):** Revision to Special **439 Silver Spring Road**,
Owner/Applicant: Silver Spring Country Club. Authorized Agent: Robert R. Jewell, Esq.

January 16, 2018

- **(Continued) #2017-059-S:** Subdivision Application, 28 West Branchville Road.
Branchville LLC

Hearing no further discussion, the Chair adjourned the meeting at 9:45 PM.

Respectfully Submitted,

Lise B. Read
Recording Secretary
(Per Audio Tapes)