

ZONING BOARD OF APPEALS OF RIDGEFIELD
MINUTES OF MEETING

April 8, 2024

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on April 8, 2024. Copies of recordings of the meeting may be obtained from the Administrator.

The Chairman called the meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Terry Bearden-Rettger, Mark Seavy, Joseph Pastore, Alexander Lycoyannis and Michael Stenko.

ROTATION OF ALTERNATES

The rotation for the meeting was first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes. Mr. Cole was unable to attend the hearing and asked Mr. Stenko to sit for him. Thus, the rotation for the next meeting will be: first, Mr. Lockwood; second, Mr. Byrnes; third Mr. Stenko.

CONTINUED APPLICATION

Application 24-007
Teisute Jucaite
117 Mamasasco Road

The applicant withdrew the application prior to the hearing.

NEW APPLICATIONS

Application 24-003
Steven Bronfield
5 Palmer Court

Architect Doug MacMillan appeared along with the applicant Mr. Bronfield. Mr. MacMillan explained to the Board that the lot was in a PRD subdivision with 25' setbacks. The proposed plans were for an in-ground swimming pool 13' at its closest point from the side setback, 14.6' from the front setback. Due to the proximity to the Norwalk River, the property was in the 100 ft wetland review area. Mr. MacMillan stated these factors create a smaller building area for any expansion. The lot was also an odd shape. The abutting neighbor at 7 Palmer Court had submitted letters objecting to the variance application primarily due to concerns about underground water and flooding. Mr. Bronfield submitted a report from a hydrologist regarding the neighbors' concerns. That report was reviewed by the Board and neighbor prior to the hearing. Mr. MacMillan said that the issues stated in those letters were not issues for the ZBA to review and better suited for the Inland and Wetlands Board to address in the future. The Board questioned if the pool could be moved to the front yard area. Mr. MacMillan replied that was likely not an option since the septic tank was to be moved due to an addition to the house and 25' setback was required from a tank. The remaining portion of the front yard contained the septic fields.

Mr. Seavy asked if the pool size could be shrunk to 18 x 36 instead of the proposed 20 x 40. This would move the setback to 17' and 18' approximately from the setback. Mr. MacMillan replied that the pool could not be too close to the main house, which has an 8' basement but there was a possibility it could be moved and slid further away from the setback.

David Booth of 7 Palmer Court appeared. Mr. and Mrs. Booth had previously submitted the letters to the Board against the application. He repeated their concerns about flooding in the area and underground water flow due to flooding in their home over the years. Ms. Bearden-Rettger confirmed the Booth's reviewed the hydrologist report submitted and

asked if they would like to submit their own expert report. Mr. Booth replied that they do not wish to hire an expert and the submitted report was good and they hoped, correct. Adela Booth also spoke. She asked the Board to keep the 25' setback imposed in the zoning regulations. She also stated she had concerns about the uncertain language in the report. Mr. Bronfield replied that he hired the expert to review the Booth's concerns to assist the Booth's with their questions and concerns.

The Board suggested the applicant review their plans and see if the proposed location could be moved to the front area of the lot with enough setback from the new septic tank not requiring a variance or if the pool could be shrunk, moved or slid further away from the setback in the submitted plans.

A continuance was granted until the next ZBA meeting on April 22.

Application 24-012

Neil Casey for Robert and Aimee Norberg
197 High Ridge Avenue

Mr. Casey appeared along with the applicant Aimee Norberg. Mr. Casey detailed the submitted plans. A lot coverage variance was requested to add a 10 x 10 mudroom addition to the rear door. The 98 sq ft addition would put the lot over the allowable amount of coverage by 20 sq ft. The surrounding existing deck would also be replaced. Mr. Casey listed hardships as the small size of the lot, .186 acres in the R7.5 zone. Mrs. Norberg stated the current rear entrance was directly into the kitchen and a mudroom would allow extra safety when entering the home. The house was positioned close to the street and entering the house through the front door was a safety concern. The lot also did not have a garage.

No one appeared to speak for or against the application. A decision can be found at the end of the minutes.

Application 24-013

J Scott Lesko
54 Chestnut Hill Road

Mr. Lesko appeared for his application. He stated to the Board that he was requesting a setback variance to change the dormer on the attached garage. The house was nonconforming to setbacks, 29.5' in the RAA setback of 35'. Lot was 1.05 acres. The change in the roof dormer would add 13 sq ft of coverage. But no closer towards the setback.

A neighbor at 10 Finch Drive appeared to hear details of the application. No objections were made.

No one else appeared to speak for or against the application. A decision can be found at the end of the minutes.

Application 24-014

Ashlea Andrews, agent for Scott Callahan
635 Danbury Road

Agent Ashlea Andrews appeared for Dolce Vita Medical Spa. She explained the applicants would like to rotate the current stone wall sign and put lettering on both sides with additional business names placed on top. The total signage would be 132 sq ft when 24 sq ft was allowed under the B2 zoning regulations. Owner Katie Callahan appeared and stated safety was a hardship as those traveling to the businesses often had trouble locating the building since the current sign did not face both directions on Danbury Road. The Board agreed the current signage was too small but 132 sq ft was a large request. Optional design ideas were discussed.

A continuance was granted to the next ZBA meeting to allow the application time to redesign a sign and discuss with the property owner associations.

Application 24-015
Ashlea Andrews, agent for Regency Centers
91 Danbury Road

The applicant withdrew the application prior to the hearing.

Application 24-016
YKM Acquisitions LLC/YKM 120 Ivy LLC
120 Ivy Hill Road

Yishaya Marks appeared for the application as a contract purchaser for the blighted lot. The lot contained a nonconforming, 2-story house that did not meet the setback in the RAA zone. The lot was also small, .17 acres. The proposed plans included demolishing the existing structure and rebuilding it on the existing footprint. The proposal still shows a two-story house with an increase in the roof line. Drawings of the proposed house were submitted to the file. Mr. Marks stated he may want to make aesthetic changes to the proposed plans in the future. He was informed that such changes might require him to appear before the Board again to get approval for those changes. A neighbor at 13 Jethro Drive appeared in favor of the application. A neighboring property at 124 Ivy Hill Road also forwarded a letter to the Board asking for approval due to the blight status of the property.

No one else appeared for or against the variance. A decision can be found at the end of the minutes.

ADMINISTRATIVE

Approval of March 25, 2024 meeting minutes.
Mr. Lycyannis motioned to approve the minutes, seconded by Mr. Pastore. All approved.

DECISIONS:

Application 24-012
Neil Casey for Robert and Aimee Norberg
197 High Ridge Avenue

REQUESTED: a variance of Section 3.5.F., lot coverage, to allow an addition to a single-family home that will exceed the allowable lot coverage; for property in the R7.5 zone located at 197 High Ridge Avenue

DATES OF HEARING: April 8, 2024
DATE OF DECISION: April 8, 2024

VOTED: To Grant, a variance of Section 3.5.F., lot coverage, to allow an addition to a single-family home that will exceed the allowable lot coverage; for property in the R7.5 zone located at 197 High Ridge Avenue.

VOTE: To Grant: 5 To Deny: 0

In favor Deny
Bearden-Rettger, Lycyannis
Pastore, Seavy, Stenko

CONDITIONS:
This action is subject to the following conditions that are an integral and essential part of the decision. Without these conditions, the variance would not have been granted:

1. The addition shall be located exactly as shown on the plans and drawings presented to the Board during the hearing and made part of this decision.
2. The plans submitted for the building application shall be the same as those submitted and approved with the application for this variance.

The Board voted this action for the following reasons:

1. The small size of the lot and the position of the house towards the front of the lot create hardships that justify the granting of a variance in this case. It is noted that the property is located on a highly trafficked street and the mudroom addition in the rear will increase residents' safety.
2. The proposal is in harmony with the general scheme of development in the area and will have no negative impact on surrounding properties or on the Town's Plan of Conservation and Development.

Application 24-013
J Scott Lesko
54 Chestnut Hill Road

REQUESTED: a variance of Section 3.5.H., setbacks, to allow a dormer addition to an existing garage within the minimum yard setback; for property in the RAAA zone located at 54 Chestnut Hill Road.

DATES OF HEARING: April 8, 2024
DATE OF DECISION: April 8, 2024

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow a dormer addition to an existing garage within the minimum yard setback; for property in the RAAA zone located at 54 Chestnut Hill Road

VOTE: To Grant: 5 To Deny: 0

In favor Deny
Bearden-Rettger, Lycoyannis,
Pastore, Seavy, Stenko

CONDITIONS:
This action is subject to the following conditions that are an integral and essential part of the decision. Without these conditions, the variance would not have been granted:

1. The addition shall be located exactly as shown on the plans and drawings presented to the Board during the hearing and made part of this decision.
2. The plans submitted for the building application shall be the same as those submitted and approved with the application for this variance.

The Board voted this action for the following reasons:

1. The undersized lot, 1.05 acres in the RAAA zone, creates a hardship that justifies the granting of a variance in this case.
2. The existing house is nonconforming to setbacks and the dormer addition does not increase the nonconformity.
3. The proposal is in harmony with the general scheme of development in the area and will have no negative impact on surrounding properties or on the Town's Plan of Conservation and Development.

Application 24-016

YKM Acquisitions LLC/YKM 120 Ivy LLC

120 Ivy Hill Road

REQUESTED: variances of Sections 3.5.H., setbacks and 8.1.B.2., nonconforming structures, to allow reconstruction of a legally nonconforming house on the existing foundation within the minimum yard setback; for property in the RAA zone located at 120 Ivy Hill Road.

DATES OF HEARING: April 8, 2024

DATE OF DECISION: April 8, 2024

VOTED: To Grant, variances of Sections 3.5.H., setbacks and 8.1.B.2., nonconforming structures, to allow reconstruction of a legally nonconforming house on the existing foundation within the minimum yard setback; for property in the RAA zone located at 120 Ivy Hill Road.

VOTE: To Grant: 5 To Deny:

In favor
Bearden-Rettger, Lycoyannis,
Pastore, Seavy, Stenko

Deny

CONDITIONS:

This action is subject to the following conditions that are an integral and essential part of the decision. Without these conditions, the variance would not have been granted:

1. The reconstructed house shall be located exactly as shown on the plans and drawings presented to the Board during the hearing and made part of this decision.
2. The plans submitted for the required applications shall be the same as those submitted and approved with the application for this variance.

The Board voted this action for the following reasons:

1. The small lot, .17 acres in the RAA zone, creates a hardship that justifies the granting of a variance in this case.
2. It is noted that the approved plans will be built on the same footprint as the existing nonconforming house and will not increase the setback nonconformity.
3. The proposal is in harmony with the general scheme of development in the area and will have no negative impact on surrounding properties or on the Town's Plan of Conservation and Development.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 9:00 pm.

Respectfully submitted,

Kelly Ryan

Administrator