



## TOWN OF RIDGEFIELD

### Planning and Zoning Commission

APPROVEDNREVISED  
MINUTES  
PLANNING AND ZONING COMMISSION  
Zoom Webinar Meeting  
Public Hearing

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

October 12, 2021                      Present:                      Susan Consentino (Joined at:7:05 p.m.)  
Joseph Dowdell  
Joseph Fossi  
George Hanlon  
Robert Hendrick  
John Katz  
Rebecca Mucchetti, Chair  
Ben Nneji

Absent:                      Charles Robbins, Vice Chair

Also Present:    Richard Baldelli, Director, Planning and Zoning, ZEO  
Karen Martin, Town Planner  
Eileen White, Recording Secretary

#### **I.        Call to Order**

Chair Mucchetti called the Public Hearing to Order at 7:00 p.m. and gave an overview of Zoom Webinar and the aspects of Zoom Webinar procedures.

Mr. Robbins had continuous technical difficulty with the Zoom links and could not join the Webinar.

#### **II:      Public Hearing:**

- 1.        SP-21-14:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to install two wall signs – “Jaipore” on the front elevation at **19 Bailey Avenue**. *Owner: Jeannette Laforte. Applicant: Malvyn Paulino.*

The Legal Notice was read by Ms. Martin.



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Chair Mucchetti asked if the Applicant was present. Mr. Baldelli asked if anyone was representing this Application. No one responded.

Ms. Martin stated that this Application was originally scheduled for September 28, 2021, but that the Applicant had not sent out the required legal notices. Ms. Martin confirmed that the notices have been sent.

The Chair said that the VDC reported they were in favor of the signs and that at the end of July, the Planning and Zoning Commission ("the Commission") had approved one sign. A request for two signs had now pushed the Application into the Special Permit Application category.

Commissioner Hendrick asked for clarification about the signage as he had seen that the signage had already been put up on the front and back of the building. Mr. Baldelli stated that the regulations permit any building to have a "rear entrance sign" in addition to the permitted signage for the front of the building.

It was noted for the record that the correct owner of the property is Urstadt Biddle, not Jeanette Laforte. The tax assessor's Online Permit System ownership identification is incorrect.

There were no questions from the Commission or the public.

The Chair stated that there was nothing further to enter into the Record.

**The Public Hearing closed at: 7:12 p.m.**

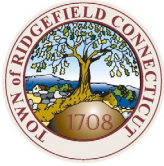
Hearing no further discussion, the Chair closed the Public Hearing at: 7:12 p.m.

Chair Mucchetti called the next Public Hearing to Order at 7:12 p.m. via Zoom Webinar.

2. **SP-21-17:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.4.C for construction of inground pool and site improvements in the front yard at a property located at **65 Peaceable Ridge Road**. *Owner: Jonathan Tropper & Stephanie Abram. Applicant: Harry Rocheville.*

The Legal Notice was read by Ms. Martin.

Mr. Harry Rocheville, Professional Engineer, McChord Engineering, presented the Application.



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Mr. Rocheville's presentation stated that the plans had been approved by the Health Department and that the AAC had looked at the plans and had suggested additional screening around the pool.

Comments and questions from the Commission included, adding deciduous trees onto the front of the property; and, why is the pool in the front yard. Mr. Rocheville answered that the pool was moved to the front because there are safety concerns if the pool was placed in the rear yard due to the steep topography which would require many stairs to get down to the pool.

Mr. Baldelli stated that there were two documents from the AAC.

Ms. Martin conveyed that the Staff Report showed that there were no concerns and that the proposed pool did not take away from the character of the neighborhood.

There was no Technical Correspondence and no comments from the public.

**The Public Hearing closed at: 7:27 p.m.**

Hearing no further discussion, the Chair closed the Public Hearing at: 7:27 p.m.

Chair Mucchetti called the last Public Hearing to Order at 7:27 p.m. via Zoom Webinar.

3. SP-21-18: Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.3.C.1 for a major occupation at the property located at **46 West Branchville Road**. *Owner/Applicant: Olivia Mandelbaum.*

The Legal Notice was read by Ms. Martin.

Ms. Olivia Mandelbaum, applicant and clinical psychologist, presented the Application.

Ms. Mandelbaum is a sole practitioner and the hours of operation will be: 9 a.m. to 7 p.m. 2-3 days per week.

Mr. Baldelli asked if there would be any classes given. Ms. Mandelbaum stated that there will not be any classes. She performs one-on-one counseling. The Chair asked about parking. It was determined that there are the required spaces.

The Staff Report showed that there was no issue with the Application.

The Application required a Special Permit because the home occupation was taking place outside of the principle dwelling.



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There were no questions or comments from the Commission or the public.

**The Public Hearing closed at: 7:34 p.m.**

Hearing no further discussion, the Chair closed the Public Hearing at: 7:34 p.m.

Chair Mucchetti called the Meeting to Order at 7:34 p.m. via Zoom Webinar.

### **III: Discussions:**

1. **SP-21-14:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations to install two wall signs – “Jaipore” on the front elevation at **19 Bailey Avenue**. *Owner: Jeannette Laforte. Applicant: Malvyn Paulino.*

**Mr. Katz motioned, Mr. Hanlon seconded, to approve as presented. Motion carried 8-0. Effective Date: October 22, 2021.**

2. **SP-21-17:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.4.C for construction of inground pool and site improvements in the front yard at a property located at **65 Peaceable Ridge Road**. *Owner: Jonathan Tropper & Stephanie Abram. Applicant: Harry Rocheville.*

**Mr. Hanlon motioned, Mr. Hendrick seconded, to approve as recommended by the AAC. Motion carried 8-0. Effective Date: October 22, 2021.**

3. **SP-21-18:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.3.C.1 for a major occupation at the property located at **46 West Branchville Road**. *Owner/Applicant: Olivia Mandelbaum.*

**Mr. Katz motioned, Mr. Hendrick seconded, to approve as presented. Motion carried 8-0. Effective Date: October 22, 2021.**

4. **SP-21-15 (Contd.):** Revision to Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per section 3.2.C to use the religious meeting room to include classrooms space and food service /coffee shop within



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existing building at **602 Ridgebury Road**. *Owner: Ridgebury Congregational Church United Church of Christ. Applicant: Robert R. Jewell.*

Reverend Rundlett and Attorney Robert Jewell joined the Webinar.

The Chair asked Commissioner Fossi if the Draft Resolution of Approval that Staff, the Applicant's Counsel and Commission Counsel had written comported with what he had in mind with his motion. Mr. Fossi answered that it did.

Commissioner Katz stated that he was in favor of the Applicant, but wanted language inserted into the Draft Resolution under the hours of operation about classifying the use as a retail coffee shop.

Commissioner Fossi said that he would be willing to add Mr. Katz's suggested language to the Draft Resolution of Approval.

Commissioner Hendrick stated that he thought the Application should have been reviewed under Regulation 3.3. in his reading of Attorney Beecher's letter.

Mr. Jewell asked Mr. Hendrick if he had opened the links he had sent about churches who have some retail use.

The Chair stated that the opportunity for comments from outside of the Commission comments has gone.

Commissioner Fossi stated that he was comfortable with the retail coffee shop edits.

Commissioners Hendrick and Consentino both expressed concern that the Commission not having adequately discussed the definition of customary use.

**Mr. Katz motioned, Mr. Fossi seconded, to approve the Draft Resolution of Approval. Motion carried 6-2. Mr. Hendrick voted nay. Ms. Consentino voted nay. Effective Date: October 22, 2021.**

Mr. Paulino joined the Webinar. The Chair stated that his Special Permit Application for signage at 19 Bailey Avenue had been approved with an effective date of October 22, 2021.

- 5. VDC-21-7: Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for exterior renovations at 409 Main Street. Owner: 85 Prospect Street LLC. Applicant: Jeff Mose.**



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Mr. Jeff Mose presented the Application, which included a virtual rendering of the plantings and exterior modifications. The Application includes creating a new business use to the Second Floor and a generator.

Discussion with Commissioners included a suggestion that was made by Mr. Hendrick as to the location of the generator during the Site Walk.

Commission Fossi stated that site walks are for observation only.

**Mr. Katz motioned, Mr. Hanlon seconded, to approve as presented. Motion carried 8-0. Effective Date: October 22, 2021.**

#### **IV: New Submissions:**

1. **VDC-21-10:** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations to install signs ‘Trillium architects and BPC builders ’ on front and west side of the building at **16 Bailey Avenue**. *Owner/Applicant: Elizabeth DiSalvo. For receipt and schedule discussion.*

**Mr. Katz motioned, Mr. Hanlon seconded, to Receive and Schedule a Discussion for October 26, 2021. Motion carried 8-0.**

2. **SP-21-19:** Revision to Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for expansion of 641 Square feet of addition and patio at Ridgefield Playhouse at **80 East Ridge Road**. *Owner: Town of Ridgefield. Applicant: Doug MacMillan. For receipt and scheduling a site walk and discussion.*

**Mr. Katz motioned, Mr. Hanlon seconded, to Receive, Schedule a Site Walk for October 24, 2021 and a Discussion for October 26, 2021. Motion carried 8-0.**

3. **A-21-6:** Regulation Amendment Application per Sec. 9.2.B of the Town of Ridgefield Zoning Regulations to amend Sections 3.3, 5.6 and 7.3 to update Accessory Dwelling Unit and parking regulations to comply with Public Act 21-29. *Commission initiated. For receipt and scheduling a Public Hearing.*

**Mr. Katz motioned, Mr. Hanlon seconded, to Receive and Schedule a Public Hearing for October 26, 2021. Motion carried 8-0.**



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4. **A-21-7:** Regulation Amendment Application per Sec. 9.2.B of the Town of Ridgefield Zoning Regulations to amend Section 8 to incorporate zoning considerations for ecological impacts on Long Island Sound as required by Public Act 21-29. *Commission initiated. For receipt and scheduling a Public Hearing.*

**Mr. Hanlon motioned, Mr. Katz seconded, to Receive and Schedule a Public Hearing for October 26, 2021. Motion carried 8-0.**

5. **SP-21-20:** Revision to Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per section 7.2.E.3 to install second sign r45“Lantern” at the property located at **59 Ethan Allen Highway**. *Owner: Club Ched LLC. Applicant: Ashlea Andrews. For receipt and scheduling a discussion.*

**Mr. Katz motioned, Mr. Hendrick seconded, to Receive and Schedule a Discussion for October 26, 2021. Motion carried 8-0.**

**V: Correspondence:**  
None.

**VI: Approval of Minutes:**

- **PZC Meeting-September 28, 2021**

Mr. Hendrick proposed an amendment to the Minutes. Mr. Fossi did not accept the amendment to his motion.

**Mr. Fossi motioned, Mr. Hanlon seconded, to approve as amended. Motion carried 6-2. Mr. Hendrick voted nay. Ms. Consentino voted nay.**

- **Site walk Minutes- October 10, 2021**

Ms. Consentino stated that she could not open the Site walk Minutes. Mr. Nneji was not present for the October 10, 2021 Site Walk.

Mr. Nneji cited an error on the Site Walk Minutes which the Chair corrected for the Record.

**Mr. Hanlon motioned, Mr. Fossi seconded, to approve as amended. Motion carried 6-0-2. Ms. Consentino and Mr. Nneji abstained.**



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Commissioner Consentino asked if the Planning and Zoning Commission could discuss the matter on New Street.

Chair Mucchetti asked for clarification from Mr. Baldelli if the matter was related to Planning and Zoning and could, thus, be raised to the Agenda. Mr. Baldelli stated that the matter was not related to the Planning and Zoning Commission.

The Chair said that Commissioner Consentino could receive general information from the office. Ms. Consentino stated that the Commission had approved the first cut for the New Street property. The Chair replied that only an accessway was approved for the New Street property – not a first cut. First cuts are allowed as-of-right.

Mr. Baldelli stated that the Office does not respond to any Facebook or social media comments whatsoever. Ms. Consentino asked whether the Commission could communicate tonight because of inquiries she had received. Mr. Baldelli replied that anyone could get information if they called the Office and made the inquiry to the Staff.

Mr. Baldelli reiterated that Ms. Consentino could speak with him via phone or in the office about the basic parameter that pertain to zoning.

Commissioner Hendrick asked for further clarification about the status of the New Street property. The Chair stated that the question had already been answered with the matter not being within the Commission's purview.

#### **VII: Adjourn**

Hearing no further discussion, the Chair adjourned the meeting at: 8:28 p.m.

Respectfully Submitted,

Eileen White