



TOWN OF RIDGEFIELD PLANNING AND ZONING COMMISSION

APPROVED/REVISED MEETING MOTIONS AND MINUTES

Hybrid Webinar (Zoom and In Person)

These minutes and motions (votes) and are a general summary of the meeting. This is not a verbatim transcription.

Tuesday, January 3, 2023

Present:

IN PERSON

John Katz
Mariah Okrongly
Elizabeth DiSalvo
Susan Consentino
Joe Sorena

VIRTUAL

Robert Hendrick (Chair)
Ben Nneji
Joseph Dowdell (Vice Chair)

Absent: Christopher Molyneaux

Also Present: Alice Dew, Director of Planning & Zoning

1. CALL TO ORDER.

Chairman Hendrick called meeting to order at 7:01pm and quorum was established.

1.1. Distribution of agenda & previous minutes: [Correspondence | Ridgefield CT](#)

Received 2 correspondence: one from R. Shaw and one from T. O'Connor on MISC 22-7 and sent out as well. Chair Hendrick will cover in meeting under 2.1. This is a special meeting and agenda cannot be changed.

1.2. Approval of agenda

2. OLD/CONTINUED BUSINESS

2.1 Discussion of Litigation/Potential Resolution re: 63 Prospect Street

Chair Hendrick discussed that on December 20, 2022, there was a briefing with Zoning Board of Appeals. There was discussion of the process and he mentioned that executive session is an option as it is currently in litigation. No update was provided on the landscaping plan. Chair Hendrick understands if there is a settlement agreement within the Planning and Zoning, the ZBA would separately need to agree to the settlement. The Court would then order then settlement (confirm it). At that point, there would be no further steps involving the PZC. P. Sullivan mentioned that there are 3 pieces to any settlement. In order for cases to settle, PZC needs to agree that the 2007 Site Plan could be amended to current plan. PZC would need to approve current (settled) landscape plan. ZBA would need to separately agree to the variance in setbacks.

There was discussion concerning notification to the public and whether a public hearing is called for. It was decided that notice would be made for public hearing inviting public to speak. Atty. P. Sullivan, Attorney with Cohen & Wolf (representing PZC and ZBA) suggests it is a good practice to publicize in a situation such as this. William Hennessey of Carmody Torrance Sandak & Hennessey LLP (representing the Pierandri Realty and Giardini Limited Partnership), understands assumption of a hearing open to public and available for public to comment. He thought the date for open discussion was January 17. Atty. Hennessey is open to publicize in News Times in order to keep timeline and open discussion on January 17. John Kinnear, architect of project spoke concerning the architecture. Questions were raised concerning the windows and rear of building.

Chair Hendrick asked if there were questions/answers or communication to Zoning Board of Appeals before hearing. Chair Hendrick asked if site walk would be a good idea. Ms. Constantino motioned for a site walk on January 8. Mr. Katz seconded the motion. Requests for aerial photos and the distance of building separation was asked. There is an approximate 23-foot distance from building to building and about 8 feet from patios per John Kinnear.

Chair Hendrick spoke about landscaping plan and asked if there were questions. Alice invited Nick Yuschak, landscape architect with CCA, LLC, as a panelist so he could speak. Mr. Yuschak spoke of the planting of green giant arbovitae that are 5-6 ft high, which grow approximately 2-3 feet/year depending on conditions and could grow to 50-60 feet full grown. Nick would expect about 12-15 to 24 feet where they are planted. J. Kinnear stated that the height of the proposed buildings in the rear (2 story) 24' to centerline of the roof. There were questions concerning tree line between Wisteria and the proposed buildings.

Paul Jaber, 12 Sunset Lane, spoke. He stated that when landscaping plan was approved on March 9, 2021, he wasn't allowed to object. Mr. Jaber is in favor of landscape plan by CCA, LLC dated 02/1/21, revised 12/12/22. Discussion was had on placement, height and spacing of landscaping. He confirmed that he wants the trees between his property at 73 Prospect and the proposed to be 10-12' trees with 4' on center. Mr. Jaber wants the density of the project to not go over 21 units.

Tracy O'Connor, 59 Prospect Street, spoke from Wisteria Gardens. Concern was raised about many trees along border dying and will not last. Ms. O'Connor thinks Wisteria Gardens should be protected as well. Chair Hendrick took O'Connor's concerns seriously and invited her to speak at public hearing January 17. The setback is the concern of the ZBA. The P&Z Commission is more involved in the landscaping and aesthetics of the buildings, etc.

Attorney P. Olson, representing Paul and Suzanne Jaber, said they would be willing to remove Subsection "C" in the proposed agreement and would keep Subsection "D". Could make wording to include successors and any other owner of the property.

Lori Mazzola, 1 Circle Dr. East, spoke virtually. Suggested affordable housing for at least 2 units.

P. Sullivan asked for comments by the PZC concerning her comments on the agreement. It was discussed to have a site walk and each Commissioner can submit their comments to P. Sullivan.

Motion to hold a Site Walk on 8th and Public Hearing on 17th. (Maker: S. Constantino; Second: J. Katz). Unanimous approval

3. PUBLIC HEARINGS

3.1 A-22-6: Regulation Text Amendment (per PZR 9.2.B) for Section 7.3.C.1- Parking in the CBD Zone. *Commission initiated.* <https://ridgefieldct.viewpointcloud.com/records/89749>

Chair Hendrick moved to Continue the Hearing for A-22-6. Chair Hendrick stated he wouldn't read entirely as it has been read before. Chair Hendrick opened A-22-6 for discussion. Dowdell asked for

clarification. Discussion was had on Regulation 7.3.C.1 text paragraph “b” being unclear. Several Commissioners agree it is worth clarification. Motion to amend draft. (*Maker: E. Disalvo; Second by J. Sorena*). *Motion carried 7-1 (opposed; John Katz)*.

Chair Hendrick made motion to continue public hearing to January 17, 2023.

4. NEW BUSINESS

4.2 Approval of Minutes

- Regular meeting- December 20, 2022
Move to approve with amendments if any. (Maker J. Katz; Second by M. Okrongly)
unanimous approval
- Special meeting- December 27, 2022
Move to approve with amendments if any. (Maker J. Katz; Second by M. Okrongly)
unanimous approval

5. ADJOURN

Chair Hendrick adjourned meeting at 8:16 pm.

Submitted by Misty Dorsch,
Recording Secretary

FOOTNOTES:

RZR = Town of Ridgefield Zoning Regulations

CGS = Connecticut General Statutes