



# TOWN OF RIDGEFIELD

## Planning and Zoning Commission

### APPROVED/REVISED MINUTES PLANNING AND ZONING COMMISSION Zoom Webinar

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

April 26, 2022      Present:                      Susan Consentino (Arrived at: 7:04 p.m.)  
Elizabeth DiSalvo (Joined at: 7:03 p.m.)  
Joseph Dowdell (Vice Chair)  
Robert Hendrick (Chair)  
John Katz  
Christopher Molyneaux  
Ben Nneji (Arrived at: 7:02 p.m.)  
Mariah Okrongly  
Joseph Sorena

Also Present:    Alice Dew, Director of Planning & Zoning and ZEO  
Eileen White, Recording Secretary

#### **1. CALL TO ORDER**

Chair Hendrick called the Meeting to Order at 7:00 p.m. via the Hybrid Model. The following Commissioners attended the Meeting via Zoom: Mr. Molyneaux and Ms. DiSalvo. A quorum was established.

The Chair stated that the Agenda had been revised to have received correspondence announced first. Hearing no objection to the alteration in Agenda, the Chair proceeded.

##### **1.1. Distribution of agenda & previous minutes.**

##### **1.2. Distribution/acknowledgement of correspondence**

- 1.2.1. From Michael Autuori re: light pollution (Apr 5, 2022)
- 1.2.2. From/to Casagmo Condominium Association (April 7 & 14, 2022)
- 1.2.3. To Ridgefield Parks & Recreation re: pickleball (April 11, 2022)
- 1.2.4. From Daniel Wehking re: recreational cannabis establishments (April 18, 2022)
- 1.2.5. From Mark Block (Executive Director, Shir Shalom) (Not dated)
- 1.2.6. From Mr. Kirk Carr re: recreational cannabis establishments and Affordable Housing Plan (April 24, 2022)



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- 1.2.7. From First Selectman Rudy Marconi re: recreational cannabis establishments (Received April 25, 2022)
- 1.2.8. From Ms. Andrea Beebee re: Bond Release at 353 Main Street (Received on April 25, 2022)
- 1.2.9. From Ms. Lori Mazzolla re: Affordable Housing Plan (April 25, 2022)
- 1.2.10. From Ms. Christine Moore re: Affordable Housing Plan (April 26, 2022)

The Chair asked if there were any questions from the Commissioners about the correspondence cited. There were no questions.

### 1.3. Approval of agenda

## 2. OLD/CONTINUED BUSINESS

- 2.1. **SP-22-4 (34 Bailey Ave).** Discuss admin/planning re: room arrangements, consultants, referrals, and tentative meeting schedule. *Public Hearing scheduled for May 10, 2022.*  
% Chair & Director.

The Chair stated that he and the Director of Planning and Zoning wanted to make sure the Commissioners understood the scope of needs that were involved with this matter, including that it may be necessary to have three Public Hearings to hear concerns from the public. The larger conference room next door used for the Village District Commission could be swapped for the usual Planning and Zoning Conference Room.

Chair Hendrick stated that the Public Hearings were statutorily required to be completed by June 14, 2022. He and Ms. Dew explained the perimeters for consultants and referrals and cited which departments had been referred, including the Inland Wetlands Board and the Police and Fire Departments. The Director stated that TJ Engineering had been employed to do studies with stormwater drainage and traffic.

The Commissioners commented on the referrals needed from other entities such as the Connecticut Historic Trust.

The Chair stated that consultants are separate from referrals, with the Applicant paying 150% of the estimated cost of consultants. Since this matter would warrant a Special Permit Application, it was important, the Chair said, for the Commissioners to attend all meetings, with arrangements in listening to Hearing tapes to be made, if they could not.



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Mr. Hendrick and Ms. Dew discussed with the Applicant that questions or comments would be collected prior to the public hearing, so more questions could be addressed. Mr. Nneji had made this suggestion years ago to Mr. Hendrick.

### 2.2. **PA 21-1 (Recreational cannabis establishments).** Discussion on BOS hearings & vote. Discussion on next steps required for PZC. % Chair.

The Chair gave an overview of the Commission's decision from the Fall of 2021 on voting for a moratorium on the Town of Ridgefield having recreational cannabis establishments, and conveying the parameters of Public Act 21-1. It gives municipalities the power to have recreational cannabis establishments, including defining 14 different types of establishments, which include establishments that grow or distribute cannabis.

The Chair turned the floor over to the First Selectman Rudy Marconi who gave an update on the Public Hearings given on Recreational Cannabis Establishments. Mr. Marconi stated that the majority of people attending the three Public Hearings were against the Cannabis Establishments and he cited the three procedural options the Town had in rendering a decision for Ridgefield residents. If the Commission does nothing about changing the Regulations, this Public Act will go into effect by default.

The three possible options were: that the Board of Selectmen could vote on a policy and the Planning and Zoning Commission could vote on a regulation; an ordinance could be drafted by the Board of Selectmen banning recreational cannabis establishments and this could go to a referendum and a referendum could be piggybacked on an already-scheduled referendum which would require two ballots for the public.

The Commissioners discussed having staff draft a regulation prohibiting recreational cannabis establishments, pursuant to the policy of the Board of Selectmen, with Commissioners Sorena and Consentino initially motioning to do so. The consensus was that further consultation with Attorney Thomas Beecher, who was not present at the Meeting, was in order.

Mr. Kirk Carr, who was on line, asked about the Commission's cannabis decision in 2015 and whether that also covered recreational cannabis use.

**Ms. Okrongly motioned, Mr. Dowdell seconded, to Table the Discussion until consultation with Attorney Beecher. Motion carried 9-0.**

### 2.3. **General legislative update.** HB 5204 (Fair Share); HB 5429 (TOD High Density As-of-Right); HB 5269 (Hybrid Meetings); HB 5165 (State POCD); etc. For discussion. % Chair



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The Chair gave an update to each of the above mentioned Connecticut House bills, which included that HB 5165 is in the State Senate.

- 2.4. **8-30j Affordable Housing Plan.** Update/discussion (if any) on drafting process.

The Chair stated that the Draft Affordable Housing Plan had been distributed to the Commissioners. The consensus was that there should be a Special Meeting on Wednesday, May 4, 2022. Ms. White stated that she could not make this meeting. The Chair said that the taking of Minutes would be arranged.

**Ms. Okrongly motioned, Mr. Katz seconded, to schedule a Special Meeting on May 4, 2022 at 7 p.m. in the Town Annex for Discussion. Motion carried 8-1.**

### 3. NEW BUSINESS

- 3.1. **46 Peaceable Street.** Discussion re: letter from Mark Block, Executive Director, Congregation Shir Shalom, regarding commercial use/activities on religious property. % Chair & Director.

Ms. Dew stated what RLUPA covers and that the Town is not allowed to prohibit religious uses of property. This matter will be discussed further.

- 3.2. **VDC-22-4; 395 Main Street.** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for wall sign "Houlihan Lawrence".  
*Owner: Addressi Square LLC. Applicant: Ashlea Andrews. For receipt and scheduling discussion.*

**Mr. Katz motioned, Ms. Okrongly seconded, to acknowledge receipt and schedule a discussion for May 10, 2022. Motion carried 9-0.**

- 3.3. **SP-22-5; 41 Governor Street.** Revision to Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for reducing the scope of work for the proposed addition to the prior approval. *Owner: Boys and Girls Club of Ridgefield Inc. Applicant: Robert Jewell. For receipt, scheduling a sitewalk. and scheduling discussion.*

The Commissioners discussed the changes in the proposed Application and the Site Plans were put up to show the new changes.

**Mr. Katz motioned, Mr. Sorena seconded, to approve the application pending review of the AAC/VDC. Ms. DiSalvo voted no. Motion carried 8-1.**



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- 3.4. **2019-055-REV(SP)-SR; 353 Main St.** Applicant requests release of bond in the amount of \$192,632.44, posted for erosion and sediment control. Agent: John Kukulka, on behalf of St. Stephen's Church. *For discussion and possible action.*

This matter will be placed on a future agenda.

- 3.5. **RZ-22-1; 0 Ethan Allen Highway (F10-0092).** Zone change application per Section 9.2.C of the Town of Ridgefield Zoning Regulations for changing a zone from B-2 to Multi Family Development District (MFDD). *Owner: Ridgefield Professional Office Complex LLC. Applicant: Robert Jewell.. For receipt, scheduling a sitewalk and public hearing.*

**Mr. Katz motioned, Mr. Nneji seconded, to acknowledge receipt, Schedule a Site Walk for June 12, 2022 and a Public Hearing for June 14, 2022. Motion carried 9-0.**

### 3.6. Approval of Minutes.

#### 3.6.1 Regular Meeting, April 5, 2022

**Mr. Katz motioned, Ms. Okrongly seconded, to approve as amended. Motion carried 9-0.**

Commissioner Okrongly said that she could not affect her e-mail in the Conference Room. Mr. Marconi asked that she sent an e-mail and the matter would be resolved.

Mr. Jim Finger, Treasurer of the Casagmo Board asked about walk throughs with Casagmo and the best way to schedule a walk through and whether TJ Engineering would be included in the walk through. Ms. Dew said she would check.

Ms. Lori Mazzolla asked if the Special Meeting of May 4, 2022 would be open to the public and Special Meetings are, stated the Chair.

Ms. Andi Mead had a comment about an Application and the Chair explained that comments are allowed only during Public Hearings.

## 4. ADJOURN

Hearing no further discussion, the Chair adjourned the meeting at: 8:30 p.m.

Respectfully Submitted,

Eileen White

2022-4-26

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