



TOWN OF RIDGEFIELD

Planning and Zoning Commission

APPROVED/REVISED
MINUTES
PLANNING AND ZONING COMMISSION
Zoom Webinar
Public Hearing

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

July 12, 2022 Present: Susan Consentino
Elizabeth DiSalvo (Arrived: 7:05 p.m.)
Robert Hendrick (Chair)
John Katz
Christopher Molyneaux
Ben Nneji
Mariah Okrongly
Joseph Sorena

Absent: Joseph Dowdell (Vice Chair)

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

1. CALL TO ORDER

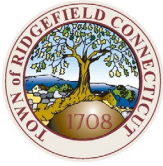
Chair Hendrick called the Public Hearing to Order of the Planning and Zoning Commission ("Commission") via the Hybrid Model. A quorum was established. Mr. Molyneaux and Mr. Nneji attended via Zoom.

Mr. Hendrick gave an overview of the Agenda, which included one Public Hearing. The Chair asked the Commissioners if there were any changes to the Agenda. There were none.

The Chair acknowledged the correspondence that was received, since the last Meeting.

Commissioner Okrongly reminded the Commission that, as per the Town of Ridgefield Policy on the Agenda, all persons should be treated with respect, which had not been the case the last two Meetings. The Chair stated that he was responsible for not adhering to the Town policy and the Staff had received complaints about same.

1.1. Distribution of agenda & previous minutes.



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1.2. Distribution/acknowledgement of correspondence

- 1.2.1. Memo from Mr. Carr; Re:Cannabis A-22-1 (received July 05, 2022)
- 1.2.2. PA-21-29 from Mr. Carr (received July 07, 2022)
- 1.2.3. Accessory Dwelling Unit-WestCOG Toolbox, from Mr. Carr (received July 07, 2022)

1.3. Approval of agenda

2. PUBLIC HEARING

- 2.1. **SP-22-11, 114 Main Street:** Revision to Special Permit Application (per RZR 9.2 & 3.2.C.12) to add two more bedrooms to an existing bed & breakfast (“The Fountain Inn”). *Owner: The Fountain Inn Ridgefield LLC. Applicant: Jeff Mose.*

Ms. Dew stated the Legal Notice, which was published on both June 30, 2022 and July 7, 2022.

Mr. Katz asked about the past Record of this Matter, this property having come before the Commission in the past with a Special Permit Application, which had been approved.

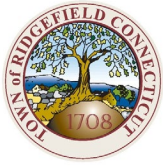
Mr. Jeff Mose, Mose Associates Architects, PC, gave the presentation. The Owners, the Haynes, were also present to answer questions. Mr. Mose gave the Director, Ms. Dew, the certified receipts for noticing of the Public Hearing.

Mr. Mose’s presentation included that the Fountain Inn Bed and Breakfast, built in 1740, is continually full and that the substantial change would be to renovate a laundry to a bathroom because of its direct relationship to a bedroom. The exterior part of the House will not be touched at all.

Mr. Mose stated that the State of Connecticut carved out the regulations for Bed and Breakfasts to allow for up to 16 people to stay at once because they recognized the value of Bed and Breakfasts for the community.

The renovation plans were displayed on screen for the Commissioners in the Conference Room and those who were on Zoom. Discussion took place about the various facets of the property, including the driveway being porous and stone.

The Chair asked about the Carriage House and it was answered that the Carriage House is a separate parcel that has its own parking.



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When Mr. Mose stated that a tree had been taken down, Mr. Haynes said that it was taken down because it had died, not in anticipation of any renovation.

Mr. Mose continued that the proposed changes were to allow for a new bathroom and the use of two additional bedrooms, which would affect the second and third floors only. He also said that both the Fire Marshall and the Building Department had been vetted.

Mr. Haynes conveyed that, if this Special Permit Application is granted, there will be no additional changes, as they are aiming to not disturb the envelope of the House, so its dignity can be maintained.

Commissioner Okrongly asked Mr. Mose if there was a Fire Department report in the file. Mr. Mose said he did not have the reports yet, but that both the Fire Department and the Building Department had approved the changes. Ms. Okrongly asked Ms. Dew if she had any comments. Ms. Dew said no, that everything looked pretty straight forward.

Commissioner Consentino asked the Applicant to define an Air B&B versus a Bed and Breakfast. Mr. Haynes answered that Air B&B's do not go through any process like this, have no fire inspections, no staff, usually have a whole house to rent and are illegal in Ridgefield. Mr. Haynes added that the Fountain Inn's Website says it is not an Air B&B.

Ms. Consentino asked if the House as been used for events. Ms. Haynes said that there have been wedding parties, but that not the whole house is accessible.

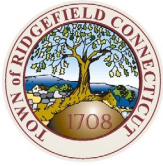
The Chair clarified that an Air B&B is not prohibited in Ridgefield, but that there is an ordinance against short-term rentals (30 days being the threshold) and he read the Regulations for B&B's. These Regulations do not prohibit four bedrooms for B&B's, but that the four bedroom threshold of which he was thinking might be in the Building Code Regulations.

Mr. Mose reiterated the body count of 16 people. Ms. Haynes said that the Innkeeper is a member of the LLC and the only one who stays overnight.

Commissioner Katz asked if there was any change in the LLC and any real change in the Property. Ms. Haynes said there was not.

The following members of the public offered comments and/or questions:

- Mr. Bill Wyman



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The Public Hearing is closed on this Matter.

Ms. Okrongly motioned, Ms. DiSalvo seconded, to add SP-22-11, 114 Main Street to the Agenda. Motion carried 8-0.

3. OLD/CONTINUED BUSINESS

3.1. (Contd.) SP-22-4, 34 Bailey Avenue. Special Permit Application per Section 9.2 and per Section 5.1.D of the Town of Ridgefield Zoning Regulations for new construction of mixed-use building with 3 commercial units on first floor and 25 residential units in the CBD zone. *Public Hearing closed on June 28, 2022. 65 days to render a decision is September 01, 2022. Owner: Bailey Rail and Granary LLC. Applicant Agent: Robert R. Jewell.*

Each of the Commissioners discussed their opinions and concerns about this Matter and how they might vote, if certain conditions were met.

Those concerns included the fact that this would be the Town of Ridgefield's first four-story building, the overall aesthetics of the proposed plan, the parking plans, the proposed walkability of the plan, the affordable housing component, the lighting, the remediation work, the traffic study and how else could this property be used.

The Chair stated that he had not recapped, before the Commission discussion, that the Applicant had already agreed to affordable housing and that the AAC/VDC had already addressed the lighting component.

Commissioner Katz said that the Commissioners needed to be as specific as possible in stating their concerns lest the Applicant take this Matter to Court.

The Chair emphasized that the Commission could ask for reasonable conditions to be met for approval.

Mr. Katz motioned, Ms. Okrongly seconded, to Table Discussion pending additional input from Staff on Conditions for Approval. Motion carried 8-0.

3.2. (Contd.) RZ-22-1; Ethan Allen Highway (F10-0092, G10-0057, G10-0037, G10-0056 totaling 29.204 acres). Zone change application per Section 9.2.C of the Town of Ridgefield Zoning Regulations, to change the zone from B-2 to Multi Family Development District (MFDD) for four parcels: Tax Assessor's Lots F10-0092, G10-0057, G10-0037, and a 2.782 acre portion of G10-0056. *Public Hearing closed on June*



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28, 2022. 65 days to render a decision is September 01, 2022. Owners: Ridgefield Professional Office Complex LLC and Town of Ridgefield. Applicant Agent: Robert R. Jewell.

Each of the Commissioners conveyed their concerns about the proposed Re-zoning.

Those concerns included the current parameters of a B-2 zone in terms of allow housing units that can be built, affordable housing connected to the vision of the Plan of Conservation and Development (“POCD”) and the pond water that is going into the Norwalk River.

The Chair stated that the Inland Wetlands Board had the purview of the looking at the drinking water from this property, but that, for the legal record, the Commission to focus on how this Special Permit Application to re-zone applies to the POCD.

A chief concern of the Commission was to know what the Applicant was going to do if the re-zoning was approved.

Mr. Katz motioned, Mr. Sorena seconded, to Table Discussion for the Chair to discuss the Commission’s purview with this Matter with Commission Counsel. Motion carried 8-0.

3.3. A-22-1: Regulation Amendment Application (per RZR 9.2.B), proposing to prohibit all medical and adult use Cannabis Establishments in all zoning districts in the Town of Ridgefield. *Applicant: Kirk Carr. Scheduling a Public Hearing date.*

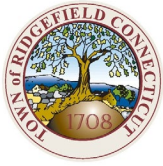
The Commission discussed their purview with respect to this Matter in proper notification for a Special Meeting. The Staff need appropriate lead time to publish the Legal Notice twice.

Ms. Okrongly motioned, Ms. Consentino seconded to Schedule a Special Meeting for August 16, 2022 to discuss A-22-1.

- **Motioned to discuss Extending the Moratorium for Three Months**
- **Motioned, that the Director and Chair will Work on a List of Referrals and Consultants.**
- **Motioned to discuss and Possibly Act Upon SP-22-4, 34 Bailey Avenue and RZ-22-1; Ethan Allen Highway.**

Motion carried 8-0.

Mr. Katz asked, through the Chair, that **SP-22-11, 114 Main Street**, could be acted upon.



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- 3.4 **SP-22-11, 114 Main Street:** Revision to Special Permit Application (per RZR 9.2 & 3.2.C.12) to add two more bedrooms to an existing bed & breakfast (“The Fountain Inn”). *Owner: The Fountain Inn Ridgefield LLC. Applicant: Jeff Mose.*

Mr. Katz motioned, Ms. DiSalvo seconded, to approve. Ms. Consentino voted nay. Motion carried 7-1.

- 3.5 **PA 21-1 (Recreational cannabis establishments).** Update on ordinance proposed by Board of Selectmen. Discussion on next steps for PZC. % Chair.

There will be two Public Hearings on Recreational Cannabis Establishments to be held in the Main Conference Room at 7:00 p.m.: July 13, 2022 and August 17, 2022.

The Director stated that she had spoken to Commission Counsel about Commissioners voting at the Town Special Meeting and Mr. Beecher said that the Commissioners should not be there in their official capacity, as their presence could be viewed as pre-disposed.

- 3.6 **8-30j Affordable Housing Plan.** Update/discussion (if any) on drafting process.

Commissioner Sorena requested that there be no action taken on this Matter since the updated Affordable Housing Plan was received on Monday, July 11, 2022.

The Board of Selectmen will vote on this Matter on Wednesday, July 13, 2022.

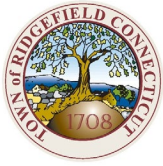
Ms. Okrongly asked if it was possible to get a redlined version of the Affordable Housing Plan.

No vote was taken on this Matter.

4 NEW BUSINESS

- 4.1 Approval of Minutes.

- 4.1.1. Regular Meeting – June 28, 2022



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Mr. Katz motioned, Ms. Okrongly seconded, to approve. Motion carried 8-0.

The Next Meeting, which is July 26, 2022, will be completely held via Zoom.

5 ADJOURN

Hearing no further discussion, the Chair adjourned the meeting at: 9:22 p.m.

Respectfully Submitted,

Eileen White

FOOTNOTES:

RZR = Town of Ridgefield Zoning Regulations

CGS = Connecticut General Statutes