

ZONING BOARD OF APPEALS OF RIDGEFIELD
MINUTES OF MEETING

October 3, 2022

NOTE: These minutes are intended as a rough outline of the web-based Zoom proceedings of the Board of Appeals on Zoning of Ridgefield held on October 3, 2022. Copies of recordings of the meeting may be obtained from the Administrator.

The Chairman called the web-based special meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Carson Fincham, Terry Bearden-Rettger, Sky Cole, Mark Seavy, Joseph Pastore and Robert Byrnes.

ROTATION OF ALTERNATES

The rotation for the meeting was first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes. Mr. Byrnes will hear the applications filling in for members who were unable to appear at the last meeting and not available for portions of tonight hearing as outlined below. Thus, the rotation for the next meeting will be: first, Mr. Lockwood; second, Mr. Stenko; third Mr. Brynes.

NEW APPLICATIONS

The following applications will be heard by Ms. Bearden-Rettger, Mr. Cole, Mr. Seavy, Mr. Pastore and Mr. Byrnes:

Application 22-017

Steven G. and Lynn M. Smith
2 Craigmere Road North

Mr. and Mrs. Smith appeared for their application. They stated to the Board that they were requesting variances to raise the detached 2-car garage roof by one story. The garage was nonconforming and within the setback. The eaves were staying the same, so no increase in setback. The lot would be over for floor area ratio with the addition of the 2nd story. The additional story was for storage space, as the house has no garage or attic. Hardships were listed as the small size on the property, 2/10 of an acre in the 1-acre zone, with no space for any expansion. The pie-shaped lot, topography and location of the septic system were also listed.

A letter from a neighbor expressing concerns about future use of the structure was discussed. Mr. Smith stated there are no plans for a bathroom or to convert the story into an accessory apartment. Mr. and Mrs. also stated they plan on replacing the fence boarding the property. A tree located near the garage would have to be removed for safety reasons.

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

Application 22-018

Russ Neumann – Prime Real Property, LLC
6 Greenfield Avenue

Mr. Neumann appeared for his application. He stated to the Board that he was requesting setback and lot coverage variances to construct a front porch and rear addition to the multi-family home. Built in 1935, the house is approximately 1258 sq ft and has two apartments. Submitted plans show a 2-story addition in the rear with a 9x10 deck. That part of the addition met the required 20' setback in the R20 zone. The proposed front porch addition did not meet the setback and the lot would be over for lot coverage. Hardships were listed as a small nonconforming lot in the R20 zone.

Neighbors Javier and Allyson Lowe appeared. They asked if abutting trees would be removed for the project. Mr. Neumann replied that he would like to maintain all the trees if possible.

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

The following applications will be heard by Mr. Fincham, Ms. Bearden-Rettger, Mr. Seavy, Mr. Pastore and Mr. Byrnes:

Application 22-020
Chris and Jennifer Monzon
299 Old Stagecoach Road

Mr. and Mrs. Monzon appeared for their application. They told the Board that their plans were to replace their existing garage and add a breezeway to attach it to the house. The garage roofline would go up to meet the house. Their architect Thomas Milano, also appeared. He stated to the Board that the garage would stay at the exact location with a setback at 31.5'. A setback variance was requested as the property was in the RAA zone with a required 35' setback. Ms. Bearden-Rettger asked about an existing second garage structure on the property. Mr. Monzon stated the garage was used to store older cars that he works on. Mr. Pastore asked about a letter submitted by a neighbor opposing the variance application and complaining about ongoing construction and debris. Mr. and Mrs. Monzon stated that the most recent construction on their property did not take two years and confirmed they do have wood piles to heat their home. They hope all construction will be completed soon with the granting of the variance. Hardships were listed as the location of the house on the lot. There will be no increase in nonconformity as the footprint of the garage was not changing. Two additional neighbors appeared in favor of the application stating the garage needed much improvement.

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

Application 22-021
Bill Craig
5 Cranberry Lane

Architect Doug MacMillan appeared for the applicant. He stated to the Board that the submitted plans were for a 1-story attached garage addition. The garage was to be located 14' from lot line near the driveway and within the required 25' setback in the RA zone. The garage would be 16' wide. Hardships were listed as the undersized lot, position of house on the lot and location of the septic system. It was noted the proposed setbacks would meet the requirement for the R10 zone. There were no plans for any tree removal during construction.

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

Application 22-022
Richard Liontonia
81 Whipstick Road

Architect Doug MacMillan appeared for the applicant. He stated to the Board that the submitted plans were for a 2-car garage with storage above the structure. A setback variance was requested to place the garage 19' to the side setback in the required 35' setback. Hardships were listed as the undersized lot, 1.02 acres in the RAA, odd shape of the lot and the wetlands in the rear of the property. The Board questioned the submitted site plan and the location of an easement for drainage on the lot. Mr. MacMillan could not confirm if the easement was on the applicant's property. A continuance was granted to allow Mr. MacMillan to confirm with a surveyor.

Michael Carpenter, president of the Land Conservatory appeared. He stated they had no objections to the application but asked that the drainage issue regarding a pond in the rear of the property be considered.

No one else appeared to speak for or against the application. The hearing was continued until the next ZBA meeting on October 17.

ADMINISTRATIVE

Following the conclusion of the new applications, the Board discussed returning to in person hearings.

DECISIONS

Application 22-017

Steven G. and Lynn M. Smith

2 Craigmoor Road North

REQUESTED: a variance of Section 8.1.B.4.a., nonconforming structures, 3.5.F., maximum lot coverage, 3.5.G., maximum floor area ratio, to allow a 2nd floor addition to a nonconforming existing garage; for property in the RA zone located at 2 Craigmoor Road North.

DATES OF HEARING: October 3, 2022

DATE OF DECISION: October 3, 2022

VOTED: To Grant, variances of Section 8.1.B.4.a., nonconforming structures, 3.5.G., maximum floor area ratio, to allow a 2nd floor addition to a nonconforming existing garage; for property in the RA zone located at 2 Craigmoor Road North.

VOTE: To Grant: 4 To Deny: 1

In favor
Byrnes, Cole
Pastore, Seavy

Deny
Bearden-Rettger

CONDITION:

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

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

The Board voted this action for the following reasons:

1. The shape of the undersized property, combined with the topography and location of the septic system, presents an unusual hardship that justifies the grant of a variance in this case.
2. It is noted that there is no location on the property for expansion and there will not be any increase in lot coverage with this approved addition.
3. The proposal is in harmony with the general scheme of development in the area and the Town's Plan of Conservation and Development and will have no negative impact on surrounding properties.

Application 22-018
Russ Neumann – Prime Real Property, LLC
6 Greenfield Avenue

REQUESTED: variances of Sections, 3.5.H., setbacks and 3.5.F., lot coverage, to construct a front porch and rear addition that does not meet the minimum yard setback and allowable lot coverage; for property in the R-20 zone located at 6 Greenfield Avenue.

DATE OF HEARING: October 3, 2022
DATE OF DECISION: October 3, 2022

VOTED: To Grant, variances of Sections, 3.5.H., setbacks and 3.5.F., lot coverage, to construct a front porch and rear addition that does not meet the minimum yard setback and allowable lot coverage; for property in the R-20 zone located at 6 Greenfield Avenue.

VOTE: To Grant: 5 To Deny:

In favor Opposed
Bearden-Rettger, Byrnes
Cole, Pastore, Seavy

CONDITION:

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

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

The Board voted this action for the following reasons:

1. The undersized property predates zoning regulations in Ridgefield and is now nonconforming to setbacks and lot coverage. This presents an unusual hardship that justifies the grant of a variance in this case.
2. The proposal is in harmony with the general scheme of development in the area and the Town's Plan of Conservation and Development and will have no negative impact on surrounding properties.

Application 22-020
Chris and Jennifer Monzon
299 Old Stagecoach Road

REQUESTED: a variance of Section 3.5.H., setbacks, to allow a garage addition within the minimum yard setback; for property in the RAA zone located at 299 Old Stagecoach Road.

DATE OF HEARING: October 3, 2022
DATE OF DECISION: October 3, 2022

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow a garage addition within the minimum yard setback; for property in the RAA zone located at 299 Old Stagecoach Road.

The Board voted this action for the following reasons:

1. The undersized lot creates a hardship that justifies the grant of a variance in this case. The approved addition meets the setbacks for the appropriate-sized R10 zone.
2. The proposal is in harmony with the general scheme of development in the area and the Town's Plan of Conservation and Development and will have no negative impact on surrounding properties.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 9:15 pm.

Respectfully submitted,
Kelly Ryan
Administrator