

ZONING BOARD OF APPEALS OF RIDGEFIELD
MINUTES OF MEETING

March 6, 2023

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on March 6, 2023. Copies of recordings of the meeting may be obtained from the Administrator.

The Chair called meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Terry Bearden-Rettger, Sky Cole, Joseph Pastore, Alexander Lycoyannis and Robert Byrnes.

ROTATION OF ALTERNATES

The rotation for the meeting was first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes. Mr. Byrnes will be sitting for Mr. Seavy at his request. Thus, the rotation for the next meeting will be: first, Mr. Lockwood; second, Mr. Stenko; third Mr. Brynes.

NEW APPLICATIONS

The following applications were heard by Ms. Bearden-Rettger, Mr. Cole, Mr. Pastore, and Mr. Byrnes. Mr. Lycoyannis chose to observe only at this meeting.

Application 23-001

Franca Group LLC, agent for Jane J Bradley
15 Ninth Lane

Valmar Franca appeared for the applicant, who was also present. He stated to the Board that the proposed plans were to rebuild the detached garage structure with a vertical expansion for an accessory dwelling unit. The footprint of the structure would be enlarged, but away from the side that was already nonconforming to setbacks. The garage structure was built in 1945 and was currently within the RA setback of 25 feet at approximately 18 ft. to the property line. Mr. Franca listed hardships as the undersized lot, .65 acres in the RA zone and the presence of rock ledge on the lot. The owner, Ms. Bradley appeared and stated that the garage needed to be rebuilt as it was quite old, rotting and unsafe.

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

Application 23-002

Daniel Gmelin
152 Nursery Road

Daniel Gmelin appeared for his application. He stated the proposed plans were to build a 20x40 inground pool 12ft and 16ft from the setback in the rear of the lot. A setback variance was requested. Lot was in the RAA zone with a required 35 ft. setback. Mr. Gmelin said the location was chosen to avoid wetlands on the lot and would be away from the septic fields also in the rear of the lot. Mr. Gmelin also stated the property has a slope in the rear and the proposed location was the flattest. Mr. Cole stated that the hardships listed were only financial, as the septic system could be moved to accommodate a pool and the retaining walls could be added to support the pool. Ms. Bearden-Rettger agreed there was a lack of hardship. Board members questioned if the pool design could be reconfigured or proposed smaller.

The applicant was granted a continuance to review the proposed plans and decide if he wanted to submit any revised plans.

No one appeared to speak for or against the application. A continuance was granted.

DECISIONS:

Application 23-001
Franca Group LLC, agent for Jane J Bradley
15 Ninth Lane

REQUESTED: variances of Sections 3.5.H., setbacks and 8.1.B.2., expansion of legal nonconforming structure, to allow expansion of a nonconforming existing accessory structure within the minimum yard setback; for property in the RA zone located at 15 Ninth Lane.

DATES OF HEARING: March 6, 2023

DATE OF DECISION: March 6, 2023

VOTED: To Grant, variances of Sections 3.5.H., setbacks and 8.1.B.2., expansion of legal nonconforming structure, to allow expansion of a nonconforming existing accessory structure within the minimum yard setback; for property in the RA zone located at 15 Ninth Lane.

VOTE: To Grant: 4 To Deny: 0

In favor
Bearden-Rettger Byrnes,
Cole, Pastore

Deny

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 lot is undersized, .65 acres in the RA zone. The garage structure was built in 1945, within the setback, prior to the enactment of zoning regulations. These factors, along with the topography and rock ledge on the property, 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 will have no negative impact on surrounding properties or on the Town's Plan of Conservation and Development.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 7:45 pm.

Respectfully submitted,
Kelly Ryan
Administrator