



## TOWN OF RIDGEFIELD PLANNING AND ZONING COMMISSION

### APPROVED/REVISED MINUTES FOR PLANNING & ZONING Zoom Webinar

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

Thursday, October 6, 2022

Present: Robert Hendrick (Chair)  
Joseph Dowdell (Vice Chair)  
John Katz  
Mariah Okrongly  
Ben Nneji  
Susan Consentino  
Chris Molyneaux  
Elizabeth DiSalvo at 6:44pm  
Absent: Joseph Sorena

Also Present: Alice Dew, Director of Planning & Zoning

#### 1. CALL TO ORDER

*Chair Hendrick called the Planning and Zoning Commission ("PZC") meeting to order via Zoom at 6:37 pm. A quorum was established.*

##### 1.1. Distribution/acknowledgement of correspondence

*Email at 4:59pm this evening by A. Beebe re: St. Stephen's Bond Release (Item 3.4.1 on agenda)*

##### 1.2. Approval of agenda

*No modifications to published agenda.*

#### 2. OLD/CONTINUED BUSINESS

##### 2.1 Pre-Submission Concept (per 9.2.E) at 901 Ethan Allen Highway

*Dr. Lipton presented a concept plan representing Pond's Edge. He reviewed the history of the property. He also discussed his interest in creating a project that Ridgefield residents would enjoy, including a lower density of housing, leaving Route 35 frontage undisturbed. He spoke with David Goldenberg of the Ridgefield Affordable Housing Committee to understand the variety of affordable housing possibilities.*

*He proposed a minimum 10% of units will be affordable, possibly more. In addition, the plan meets no disturbance on Rte. 35 and minimizes the concentration of people.*

*There was discussion concerning Section 5.7 which allows for a mixed use overlay zone and allows for additional housing. Mark Arigoni spoke from SLR located at 99 Realty, Cheshire, CT. He suggested that there would be no wetlands impact. Driveway width would be reduced, there would be enhanced features around the driveways and clean up of invasives around the pond. There will be 93 units (10 affordable units), with 22 apartment units intermingled. There will be 29 acres for residential use including Little Pond. Michael Stein – Architect from Stein and Troost 1 Morgan Ave., Norwalk.*

*The owners are hoping to come back to Planning and Zoning Commission for a Rezone to MFDD. Ended presentation at 7:20pm*

*Discussion followed: Affordable would be at 80% of the Area Median Income. Commissioners gave thoughts on affordable, land preservation, architecture and quality materials, drinking water concerns. B.Nneji stated that he likes the community feel and common areas. One challenge Ridgefield has is affordability and he appreciates the attempt at affordable. Elizabeth DiSalvo mentioned the interest in sustainability and affordability. C. Molyneaux appreciated the well done presentation. M. Okrongly was concerned about the natural gas line. Would prefer electrical and energy efficiency. She suggested that they inform the PZC of how many trees removed, how many planted and that they use as many as native plants as possible. Mark Arigoni of SLR addressed this issue for the owners and stated that most trees that will be removed will be in the core of property. Significant emphasis on replanting and stormwater control (rain garden, surface infiltration). R. Lipton stated the owners are working with a solar contractor and considering heat pumps and electric. R. Hendrick mentioned that the owners may want to look at any traffic issues, parking for resident, visitor and deliveries as well as bus and other transit. He also felt that landscaping is of concern. R. Lipton said that nearest bus stop near gas station, but they are talking with the bus company. J. Katz stated that he is concerned with the façade, but feels that traffic is irrelevant. His concern is more about accommodating additional vehicles and making less dangerous entrance/exits onto Ethan Allen Highway.*

## **2.2 Pre-Submission Concept (per 9.2.e) for 409 Main Street Signage c/o ECDC**

*Katharine Gelfman from ECDC made a presentation. ECDC is asking to install a flat tv screen that would be 4'x 1.5' wide. Screen would be behind a glass door facing away from the street. R. Hendrick: said that Section 7.2.G of the Regulations relates to illumination and does not allow unless approved by the PZC. Special permit application or a change in the regulations. More holistic view of regulation changes. E. DiSalvo – very narrow spaces and if facing building, you wouldn't know it was there. KG: Monitor to be installed inside the glass. S. Constantino – Could be a distraction with the reflection through the glass of the building. Mariah Okrongly suggested another location may be better, such as Ballard Park rather than Main Street. Some commissioners prefer the use of hand written notices and flyers rather than a tv screen. R. Hendrick suggested perhaps some control the luminescence. J. Dowdell suggested that it can act like a large kindle with backlighting. Likes idea of sign, but not brightness. K. Gelfman suggested that perhaps a smaller screen would be more palatable. B. Nneji suggested something interactive.*

### **2.3 Regulation Amendment: re: Inclusionary Zoning (RZR 9.2B) for discussion**

*R. Hendrick made a power point presentation and reviewed the State Statute. In the Affordable Housing Plan Draft as a goal. CGS 8.2.i discussed inclusionary zoning. Mandatory that you establish that the zoning noted would need to have affordable housing. Overlay zone would allow incentives by modifying density, setbacks, etc. He noted that Ridgefield has incentive based inclusionary zoning in the business zones B-1, B-2, B-3 zones and a density bonus is allowed for residential units. Ridgefield's incentive based inclusionary zones have not been very successful. For discussion: Incentivizing: Perhaps mandatory any new development of more than 4 dwelling units with a requirement of 15-20% affordable for every project. Some towns set mandatory minimum and an incentive for more affordable. Darien has a mandatory minimum for any development more than 4 units. Darien's regulations ask for At least 14% of units must be at 80% SMI. They allow incentives if the developer comes in with more than the minimum percentage.. New Canaan has an inclusionary zoning fee which goes into a Housing Trust Fund controlled by PZC. Mandatory minimum of affordable in certain zones.*

*J. Katz – decision needs to be made if Commission is going to require inclusionary. J. Dowdell said that it needed to be mandatory*

*M. Okrongly liked the concept of a small percentage (10-15%) with an incentive for a larger percentage of affordable. There was discussion as to what type of development and whether single family dwellings should be included.*

*Discussion will continue. Could bring in others to discuss, such as Francis Pickering from WestCOG or a planner/representative from another town. Write regulation with the ability to offer incentives by PZC.*

*Consensus to work on document and we need a regulation before a public hearing is set. A. Dew will check with L. Watson. A. Dew and R. Hendrick will work on draft and review on October 25, 2022.*

### **2.4 Regulation Amendment re: Signage Update (RZR 9.2B & RZR 7.2) For Discussion**

*R. Hendrick present a Power Point: 2015 Reed vs. Town of Gilbert "If you have to read the sign to decide whether the sign is allowed, then the regulation will probably not hold up in court." Content of signs must be neutral. Time, place and manner of sign to be considered. R. Hendrick also brought up a 2022 case of Austin v. Reagan which allowed the Town to look at the sign and content to determine if it refers to something on that property.*

*J. Katz: Digital signage should be considered and addressed. Look at type of light. R. Hendrick suggested to put together a committee to review lighting. A. Dew to work on regulation update with J. Dowdell, S. Constantino and R. Hendrick.*

## **3. NEW BUSINESS**

**3.1 MISC-22-6: Opt-out Public Act 21-29.** For receipt and scheduling a Public Hearing for October 25, 2022 c/o Commission

*A. Dew read the Summary of the Public Act 21-29 concerning Accessory Dwelling Units and the reasoning for opting out. When opting out, it allows the Town to have more control and make changes as necessary.*

*MOVED TO SCHEDULE THE PUBLIC HEARING FOR OCTOBER 25, 2022. (Maker: J. Katz; Second J. Dowdell). Motion carried - unanimous.*

**3.2 A-22-4: Regulation Text Amendment Proposing for Section 7.13 – Cannabis Establishments and section 8.6 – Uses Subject to Moratorium .** For receipt and scheduling a Public Hearing on October 25, 2022.

*MOVED TO SCHEDULE THE PUBLIC HEARING FOR OCTOBER 25, 2022(Maker: B.Nneji; Second: S. Constantino) Motion carried - unanimous.*

**3.3 Regulation Amendment re: Parking in the CBD zone.** *Discussion on parking in CBD to carve out residential use for the parking rules. For clarification, this section should not apply to residential uses in the CBD zone. R. Hendrick and A. Dew will work on a draft.*

### **3.4 Release of Bond**

**3.4.1** 353 Main Street (St. Stephen’s Church): #2019-055-REV(SP)(SR): Release of Bond for Erosion and Sediment control and Stormwater Management.

*MOVED TO APPROVE RELEASE OF BOND. (Maker: J. Katz; Second:C. Moyneaux second); Motion carried - unanimous.*

## **4. ADJOURN**

*The Chair asked if there was any further business. Hearing none, the meeting was adjourned at 9:05pm.*

Respectfully submitted,

A. Dew, Director of Planning and Zoning

### **FOOTNOTES:**

RZR = Town of Ridgefield Zoning Regulations

CGS = Connecticut General Statutes