

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

June 6, 2018

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on June 6, 2018 in the Public Meeting Room, Town Hall Annex, 66 Prospect Street, Ridgefield. Copies of recordings of the meeting may be obtained from the Administrator at cost.

The Chairman called the special meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Glenn Smith (Chairman), Carson Fincham (Vice Chairman), Terry Bearden-Rettger, Sky Cole, and Robert Byrnes.

ROTATION OF ALTERNATES

The rotation for the meeting was: first, Mr. McNicholas; second Mr. Stenko; third Mr. Byrnes. Since only a continued petition was on the agenda, Mr. Byrnes continued to sit for Mr. Seavy. Thus, the rotation for the next meeting will be: first, Mr. McNicholas; second Mr. Stenko; third Mr. Byrnes.

NEW PETITION

Appeal No. 18-004
Petition of In 2 Blue Design
79 Bayberry Hill Road

In 2 Blue Design owner Nick Vitiello represented the applicants for the petition. The owners Anthony and Bethani Angell were present as well. Mr. Vitiello explained to the Board that after the first hearing he discussed the Board's suggestion with his client and revised the plans. The new plans included rotating the pool, parallel to the house and moving a septic tank. The proposed plans place the pool 25.8' from the side setback. The original plans had it placed 11' from the side property line.

Ms. Bearden-Rettger asked if the location next to the greenhouse in the rear was considered. Mr. Vitiello replied that building the pool there would require re-routing the septic lines and could be difficult because of ledge in the area. It would also require a retaining wall. In his professional opinion, it was not an ideal spot. Mr. Smith stated he agreed the ledge in the rear was an issue along with other topography issues. He further stated it was an undersized, odd shaped lot. Mr. Vitiello asked if after removing the septic, could the pool be built slightly south. Mr. Smith stated the pool had to be built exactly as presented in the plans and could not be built closer to 25.8'. The applicants asked if the pool could be built smaller, the Board stated yes it could be.

No one appeared to speak for or against the petition and the hearing was concluded. A decision can be found at the end of these minutes.

DECISIONS

The Board voted the following action:

Appeal No. 18-004
Petition of In 2 Blue Design
79 Bayberry Hill Road

REQUESTED: A variance of Section 3.5.H., setbacks, to allow construction of an in-ground swimming pool within the minimum yard setback; for property in the RAA zone located at 79 Bayberry Hill Road.

DATES OF HEARING: May 21, 2018, June 6, 2018

DATE OF DECISION: June 6, 2018

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow construction of an in-ground swimming pool within the minimum yard setback; for property in the RAA zone located at 79 Bayberry Hill Road.

VOTE: To Grant: 5 To Deny: 0

In favor

Bearden-Rettger, Byrnes
Cole, Fincham, and Smith

Opposed

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 in-ground pool shall be constructed exactly as shown on the revised 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 variance application.

The Board voted this action for the following reasons:

1. The undersized lot and the odd shape of the lot, along with the topography of the property and the location of the house on the lot, presents an unusual hardship that justifies the granting of a variance in this case. It is noted that the proposed pool location complies with the RA setbacks.
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 7:20 pm.

Respectfully submitted,

Kelly Ryan
Administrator