

**ZONING BOARD OF APPEALS OF RIDGEFIELD**

**MINUTES OF MEETING**

**September 12, 2016**

**NOTE:** These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on September 12, 2016 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 meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Glenn Smith (Chairman), Dwayne Barney (Vice-Chairman), Sky Cole, Carson Fincham and Michael Stenko. Mr. Choplinski was unable to attend the meeting and asked Mr. Stenko to replace him. Alternates Evangelos Aposporis and Charles Robbins were also present.

**ROTATION OF ALTERNATES**

The rotation for the meeting was: first, Mr. Aposporis; second, Mr. Robbins; third, Mr. Stenko. As Mr. Stenko was asked to replace Mr. Choplinski, the rotation will remain the same for the next meeting.

**NEW PETITIONS:**

**Appeal No. 16-023– Petition of Snyder Civil Engineering agent for Aquarion Water Co. of CT  
Craigmoor Road and Craigmoor Road North**

Stephen Melanson of Snyder Civil Engineering represented the applicants, Aquarion Water Company of Connecticut. Mr. Melanson presented to the Board an enlarged survey showing the setbacks more clearly than in previously submitted documents. Mr. Melanson explained to the Board that Aquarion wanted to add a chlorination facility system over the vaulted well already located on the property. The current structure was already in the setback so a setback variance was requested. Due to the 35 ft. setbacks for this zone, the proposed structure would not fit anywhere on the property. Mr. Melanson further detailed that the structure would be 9' x 9' plus 8" overhangs and would cover 12% of the parcel. Mr. Fincham asked what was currently on the lot. Mr. Melanson replied that there was an underground pump station with bilco doors leading down. Aquarion was asked by the public health departments to chlorinate the water systems. Mr. Stenko asked if the chlorination system could be installed underground as well. Mr. Melanson replied that would entail too much contouring and excavation of the land.

No one appeared to speak for the petition. Nancy Jacobowitz of 28 Craigmoor Road North asked a question of the applicant. Ms. Jacobowitz asked the height of the structure. Mr. Melanson stated it would be 12 ft. high, 9' x 9' with 8" overhangs. Ms. Jacobowitz also asked what the color of the structure would be, explaining that she preferred a darker color so it would blend with the wooded area. Mr. Melanson replied that it would likely be built in earth colors. Barbara Hartman of 5 Craigmoor Road North appeared and asked where the door to the structure would be located. Mr. Melanson said a steel door would be used and placed on the other side of the bilco doors. Mr. Smith and Mr. Barney suggested a timber blend color for the siding and a weathered wood color for the shingles. Ms. Jacobowitz approved of the color choice. Another neighbor at 1 Craigmoor Road North asked if trees could be planted to shield the structure. Mr. Smith explained that the enforcement of plantings is too difficult and not reliable.

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

**Appeal No. 16-024 – Petition of George and Rosemary Hawkins Sposito**  
**36 Christopher Road**

Architect Douglas Cutler represented the applicants. Mr. Cutler showed drawings and explained to the Board that the submitted plans included taking off the upper level of the current house, rebuilding a garage and adding a second floor. He also stated the plans showed the rear deck being demolished and rebuilding it an additional 8 ft., further back away from the lake. The house is currently nonconforming so a setback variance was requested. The front setback where the current garage was located was 13 ft. from the lot line. The proposed addition would bring the addition to 7 ft. from the property line, the property closest to the setback was the common lake access way for the community. Mr. Cutler further stated that the septic system would remain and the additional would be a modular system which was least impactful for the lot. The roof would be flat in order to keep the height restrictions. Mr. Cole asked about the proposed decks. Mr. Cutler replied there would be two, one on the upper and one on the lower level. Mr. Smith asked what the existing square footage of the house was. Mr. Cutler replied approximately 2000 sq. ft. and the proposed plans would bring it to 4164 sq. ft. Mr. Stenko asked about the plans for the basement and the size of the proposed in-law suite above the re-built garage. Mr. Cutler replied that the basement will primarily be used for storage along with the existence of a playroom, rec room and bathroom. The in-law suite would be 20'x 30'.

Mr. Smith asked the applicants if they ever considered demolishing the house and rebuilding in the center of the lot to avoid setback issues. Mr. Cutler replied that the owners wanted to avoid moving the septic system to avoid any unnecessary pollution of the lake. Also the proposed plans include modular construction which would be quicker and be safer for the lake. Mr. Cutler also stated that the plans increase the setback from the lake. Mr. Smith stated that a septic trench could be moved and due to the cost of the proposed project, the additional cost for septic changes would not greatly increase the total project cost.

Mary Jo Dalbey of 23 Christopher Road spoke in favor of granting the variance. Ms. Dalbey stated that the addition being close to the property line would not have an effect on the neighborhood and the Mamansco Lake Association approved of the plans. Barbara Hartman, president of the Mamansco Lake Association also spoke in favor of granting the variance. Ms. Hartman stated that the project would have minimal disturbance to the area and the plans to not change the septic system was positive for the lake. Mr. Cutler stated that the septic system was updated and improved in the 1980's.

No one appeared to speak out against granting the variance. The applicant George Sposito stated that both he and his wife have had various roles in the lake associations and want to maintain the viability of the lake. He further stated they chose the modular plans since it would have the minimum impact on the land. Rosemary Hawkins Sposito also spoke. Mrs. Sposito stated that the boarding property closet to the setback was very wooded and the steps leading to the lake were located on the opposite side, so the impact to a neighboring property would be limited. Mrs. Sposito explained the additional was to accommodate her elderly mother who would be residing in part of the new addition. The Board explained to the applicants that they could not use personal hardships when granting a variance. Mr. Smith asked if the addition could be limited by rebuilding the garage to a 1-car garage, noting that the lot was RA with a 25ft setback, the current structure is 13 ft. from the setback and plans are asking for an increase to 7 ft. Mr. Cutler replied that the applicant wanted the proposed 1 ½ garage in order to keep their cars in the garage and improve the look of their property. Mr. Fincham stated he agreed with Mr. Smith regarding the close setback number and asked if the garage could be moved elsewhere. Mr. Fincham also asked for a hardship stating the aesthetic reasons were not legally enough. Mr. Cole agreed with both Mr. Smith and Mr. Fincham stating that future owners could take advantage of the setback. Mr. Smith explained to the applicants

that since many of the Board members had concerns about their proposed plans they may want to consider revising the plans and asking for a continuance. Mr. Smith also explained that the Board could also vote on their submitted plans tonight.

Mr. Cutler, after discussing with the applicants, asked for a continuance until the next ZBA meeting. A continuance was granting until the October 3 ZBA meeting.

**Appeal No. 16-025 – Petition of Daniel Stasio**  
**17 Wilton Road West**

Applicant Daniel Stasio represented himself for this petition. Mr. Stasio told the Board that he was asking for a variance to allow a 1200 sq. ft. building on his property to be used as an accessory dwelling unit. The current regulation stated that an accessory unit could be no larger than 900 sq. ft. of habitable space. Mr. Stasio explained some of the history of his property, which contains 3 dwellings, stating that the first owners used the building for a plumping shop and office along with a house on the property. In 1987 new owners tried to get a variance to use the buildings commercially but that variance was denied and Mr. Stasio stated that he believed these owners began to use all the dwellings residentially. Now Mr. Stasio and the property co-owner would like to get the building to code and legal so a variance was needed so one structure could be used as an accessory unit, the other an office along with the main residence. Mr. Stasio presented tax field cards that showed the years the buildings were built including the 30' x 40' structure he wanted to use as an accessory unit, as built in 1945. The original house was built in 1925. Mr. Stasio stated his hardship as the property being nonconforming and reducing the nonconformity by eliminating 1 structure for residential use. The Board discussed the property as pre-dating zoning and the accessory use before the current accessory dwelling use pre-dating the 900 sq. ft. limitation regulation.

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 actions:

**Appeal No. 16-023– Petition of Snyder Civil Engineering agent for Aquarion Water  
Co. of CT  
Craigmoor Road and Craigmoor Road North**

REQUESTED: A variance of Section 3.5.H, setbacks, to allow the addition of a pump station building within the minimum yard setback; for property in the RAA zone located at intersection of Craigmoor Road and Craigmoor Road North.

DATES OF HEARING: September 12, 2016  
 DATE OF DECISION: September 12, 2016

VOTED: To Grant, with Condition, a variance of Section 3.5.H, setbacks, to allow the addition of a pump station building within the minimum yard setback; for property in the RAA zone located at intersection of Craigmoor Road and Craigmoor Road North.

VOTE:            To Grant:        5            To Deny:        0

In favor  
Barney, Cole, Fincham  
Smith and Stenko

Opposed



4. 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 9:00 pm.

Respectfully submitted,

Kelly Ryan  
Administrator

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Filed with the Town Clerk on September 15, 2016

Posted on Town's website September 15, 2016 at approximately 11:30 am