

**ZONING BOARD OF APPEALS OF RIDGEFIELD**  
**APPROVED MINUTES OF MEETING**

**March 25, 2024**

**NOTE:** These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on March 25, 2024. Copies of recordings of the meeting may be obtained from the Administrator.

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

**ROTATION OF ALTERNATES**

The rotation for the meeting was first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes. No alternate was needed for this hearing. Thus, the rotation for the next meeting will be: first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes.

**CONTINUED APPLICATION**

**Application 24-007**  
**Teisute Jucaite**  
**117 Mamanasco Road**

The applicant asked for a continuance prior to the hearing.

**NEW APPLICATIONS**

**Application 24-008**  
**William Craig**  
**5 Cranberry Lane**

Architect Doug MacMillan appeared for Mr. Craig. Mr. MacMillan stated the application was for an office and bathroom to be constructed above a garage addition that was granted by the Board in 2022. That variance granted a 14' setback from the property line in the RA zone with a required 25' setback. This proposed second-floor addition would be approximately 600 sq ft. with no change in the granted 14' setback. Hardships were listed as the undersized lot and location of the house on the lot. Some trees near the proposed addition would need to be cut, but other tree plantings were planned as agreed to by the neighbor at 19 South Olmstead Lane, who also submitted a letter in support of the application.

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

**Application 24-009**  
**David Teggart**  
**7 Casa Torch Lane**

Architect Doug MacMillan appeared for Mr. Teggart. Mr. MacMillan stated the application was to add a second-floor addition to the existing house 28.9' from the property line. There would be no increase in the setback as the house was already at 28.9'. The house was in the RAA zone with a required 35' setback. Plans also showed a widening of the front yard portico located at 25' in the front setback with no increase in the setback. Hardships were listed as the location of the house in the front of the lot. The proposed plans met the setback for the RA zone at 25'. The property was previously upzoned to the RAA zone.

**Application 24-010**  
**Medhi Ali**  
**74 High Ridge Avenue**

Attorney Robert Jewell appeared along with the applicant and architect Peter Coffin. Mr. Jewell described the property as in the RA zone, 1.35 acres and in Historic District 2 with construction approval needed by the Historic District Commission. The property was vested in 1977 but was once part of a larger parcel vested in 1898. The application was to grant a side setback variance to build a detached 2-car garage. The structure would be considered under the regulations as in the front yard, so the applicant would also need to get a special permit from the planning and zoning commission to proceed. The Historic District Commission did approve the garage structure at the proposed location. A letter stating the approval was submitted prior to the hearing. The approval letter described the location as appropriate to hide the structure and any parked cars from view on High Ridge Avenue. The trees and shrubbery presented by Mr. Coffin assisted in hiding the structure from the main road. Mr. Coffin reviewed photos of the proposed structure with the Board. Other hardships were listed as the odd shape of the lot. The property with proposal was within the floor area ratio and lot coverage allowances. A letter in support of the application was submitted by the neighbor at 72 High Ridge Avenue.

Mr. Cole asked if the structure could be moved further back away from the property line. Mr. Coffin replied that generally 30' was needed for turn around for a garage and a retaining wall was to built into the hill behind the garage. Ms. Bearden-Rettger asked if a second garage was an excessive request and suggested the structure be moved to another location on the lot that did not require a variance. Other Board members felt that moving the structure to the far side of the lot would result in too much impervious surface coverage with an addition of a longer driveway. Those members also felt that the approval of the location by the HDC was a hardship for the property owner.

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

**Application 24-011**  
**Steve and Marissa Brown**  
**42 Whipstick Road**

Architect Michael Bevivino appeared along with the applicants. Their contractor Chris Heron was also present. Mr. Bevivino shared proposed photos of the structure. The application was to rebuild the 2-story guest house on the property with the same foundation, no increase in the footprint. The guest house was currently 23.8' from the lot line in the RAA zone with a required 35' setback. The guest house was built around 1790 and is one of several structures on the lot. Plans included raising the ceilings as they were currently only 6.7' high in some areas and smaller in other areas. The roof would be raised 5', currently it was 27.8'. An enclosed porch and chimney would remain with no second story added to that portion of the structure.

Mr. Brown stated to the Board that the neighbor at 43 Whipstick Road emailed him approval of the proposed plans. Mr. Bevivino stated there were no historical restrictions on the demolition of the guest house.

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

**DECISIONS:**

**Application 24-008**  
**William Craig**  
**5 Cranberry Lane**

REQUESTED: a variance of Section 3.5.H., setbacks, to allow construction of a 2<sup>nd</sup> story above a previously approved garage within the minimum yard setback; for property in the RA zone located at 5 Cranberry Lane.

DATES OF HEARING: March 25, 2024  
DATE OF DECISION: March 25, 2024

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow construction of a 2<sup>nd</sup> story above a previously approved garage within the minimum yard setback; for property in the RA zone located at 5 Cranberry Lane.

VOTE: To Grant: 5 To Deny: 0

In favor Deny  
Bearden-Rettger, Cole, Lycoyannis  
Pastore, Seavy

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

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

The Board voted this action for the following reasons:

1. The same hardships found in variance number 22-021 that granted the garage still apply to this application. These include the undersized lot, the position of the house on the property, and the placement of the well and septic systems. These hardships justify the granting 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.

**Application 24-009**  
**David Teggart**  
**7 Casa Torch Lane**

REQUESTED: a variance of Section 3.5.H., setbacks, to allow a portico and a 2<sup>nd</sup> story addition to a single-family home within the minimum yard setback; for property in the RAA zone located at 7 Casa Torch Lane.

DATES OF HEARING: March 25, 2024  
DATE OF DECISION: March 25, 2024

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow a portico and a 2<sup>nd</sup> story addition to a single-family home within the minimum yard setback; for property in the RAA zone located at 7 Casa Torch Lane.

VOTE: To Grant: 5 To Deny: 0

In favor Deny  
Bearden-Rettger, Cole,  
Lycoyannis, Pastore, Seavy

CONDITIONS:

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

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

The Board voted this action for the following reasons:

- 1. The lot is undersized for its zone and the position of the house on the lot creates hardships that justify the granting of a variance in this case. It is noted that the approved plans do not increase the existing nonconformity of the house.
- 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.

Application 24-010  
Medhi Ali  
74 High Ridge Avenue

REQUESTED: a variance of Section 3.5.H., setbacks, to allow construction of a 2-story garage within the minimum yard setback; for property in the RA zone located at 74 High Ridge Avenue.

DATES OF HEARING: March 25, 2024  
DATE OF DECISION: March 25, 2024

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow construction of a 2-story garage within the minimum yard setback; for property in the RA zone located at 74 High Ridge Avenue.

VOTE: To Grant: 4 To Deny: 1

<u>In favor</u>	<u>Deny</u>
Cole, Lycoyannis	Bearden-Rettger
Pastore, Seavy	

CONDITIONS:

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

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

The Board voted this action for the following reasons:

- 1. The location of the house on the odd shaped lot justifies the granting of a variance in this case.
- 2. It is noted that the plans were previously approved by the Historic District Commission.
- 3. 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.

Application 24-011  
Steve and Marissa Brown  
42 Whipstick Road

REQUESTED:           variances of Sections 3.5.H., setbacks and 8.1.B.2., nonconforming structures, to allow an addition to a legally nonconforming structure within the minimum yard setback; for property in the RAA zone located at 42 Whipstick Road.

DATES OF HEARING:           March 25, 2024  
DATE OF DECISION:           March 25, 2024

VOTED:           To Grant, variances of Sections 3.5.H., setbacks and 8.1.B.2., nonconforming structures, to allow an addition to a legally nonconforming structure within the minimum yard setback; for property in the RAA zone located at 42 Whipstick Road.

VOTE:           To Grant:       5                   To Deny:    0

<u>In favor</u>	<u>Deny</u>
Bearden-Rettger, Cole, Lycoyannis, Pastore, Seavy	

- CONDITIONS:
- This action is subject to the following conditions that an integral and essential part of the decision. Without these conditions, the variance would not have been granted:
1. The addition shall be located exactly as shown on the plans and drawings presented to the Board during the hearing and made part of this decision.
  2. The plans submitted for the building application shall be the same as those submitted and approved with the application for this variance.

- The Board voted this action for the following reasons:
1. This property was vested with multiple structures prior to the enactment of zoning regulations and is legally nonconforming. The approved plans will not increase the nonconformity. These factors, along with the location of the structure on the lot, creates hardships that justify the granting 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 8:20 pm.

Respectfully submitted,  
  
*Kelly Ryan*  
  
Administrator