

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

February 1, 2021

NOTE: These minutes are intended as a rough outline of the web-based Zoom proceedings of the Board of Appeals on Zoning of Ridgefield held on February 1, 2021. Copies of recordings of the meeting may be obtained from the Administrator at cost.

The Chairman called the web-based meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Carson Fincham (Chair), Sky Cole, (Vice Chairman) Terry Bearden-Rettger, Mark Seavy, and Joseph Pastore.

ROTATION OF ALTERNATES

The rotation for the meeting was first Mr. Byrnes, second Mr. Lockwood, third Mr. Stenko. No alternate was needed, so the rotation will stay the same for the next meeting.

CONTINUED APPLICATION:

Appeal No. 20-024

Joseph Santoro

341 Wilton Road East

Architect Doug MacMillan continued to represent the applicant. The revised plans now place the carport 8 ft. from the property line. The original plans had the carport 5 ft. from the line. Mr. MacMillan listed hardships as the undersized lot in the RA zone and the location of the house on the lot. He also stated the location of the septic system limited where the car port could be placed. Mr. Fincham noted the opposite side of the lot had a drop off and would not be suitable.

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

NEW APPLICATIONS:

Appeal No, 20-001

Veton Alimi

84 North Salem Road

Mr. Alimi appeared for his hearing. He stated to the Board that he purchased the property in 2017. The building contained two dwelling units granted under variance, #02-026. The lot has a long history of commercial and more recent residential uses. Mr. Alimi was asking the Board to increase the number of units allowed to 3, as there was an attached separate unit on the building currently not being used. Mr. Alimi stated he was unable to convert the third unit in the building to the downstairs unit as there was a block concrete wall between the units and he had concerns about the building structure if it was removed. Mr. Alimi further stated his hardship was the 1000 sq ft of unusable space, serving no purpose as additional residential use was not allowed. The building consisted of a two-bedroom unit upstairs and a two-bedroom unit downstairs. The proposed third unit would be a 1- bedroom. The front of the building was very close to the roadway after the State of Connecticut added a right of way years ago eliminating some front parking. There were currently 8 parking spaces on the lot. Ms. Bearden-Rettger had concerns about the parking allowed parallel to the building on Maple Shade Drive.

Mr. Alimi stated there was parking on the other side of the building, but residents often parked there for easier access to the building. However, he stated that without the Maple Shade Drive parking, there would still be enough for the additional unit. Mr. Alimi emailed photos of the lot with all parking spaces shown.

Neighbor Ian Sorrentino of 1 Saw Mill Road appeared against the application. Mr. Sorrentino stated the intersection near 84 North Salem was often congested with traffic and there have been several automobile accidents. He also stated that the current tenants cause noise and commotion and often only reside there one year, so an increase in dwelling units would likely increase the noise. Mr. Alimi stated that he does screen his tenants and prefers families that will stay for more than one year. He also stated accidents are likely not from local residents driving in the area.

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

Appeal No. 20-002
Matt Grossman
366 Wilton Road West

Architect Doug MacMillan appeared for the applicant. Mr. MacMillan stated to the Board that the applicant proposed a two-story 1600 sq ft addition consisting of a home office on the lower level and a master suite upstairs. A side setback variance was requested, 19 ft from line in an RA zone. The lot was .64 acres. Mr. MacMillan stated the house was on an odd angle. A row of hedges was to remain between the property and the closest neighbor. A portion of the driveway that was located on the neighbor's property would be removed. The septic system was in the rear of the house. Mr. Fincham asked the setback number for the detached garage in the rear of the lot. Mr. MacMillan replied it was 11 ft from the setback, much closer than the proposed addition. John and Mary Lou Worrall of neighboring 370 Wilton Road West appeared and spoke. Mr. Worrall stated they had no problems with the proposed plans, and were happy the driveway portion on their property would be removed. Mr. MacMillan again conformed it would be removed and the area would be returned to lawn.

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

DECISIONS:

Appeal No. 20-024
Joseph Santoro
341 Wilton Road East

REQUESTED: a variance of Section 3.5.H., setbacks, to allow construction of a carport within the minimum yard setback; for property in the RA zone located at 341 Wilton Road East.

DATES OF HEARING: November 2, 2020 and February 1, 2021
DATE OF DECISION: February 1, 2021

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow construction of a carport within the minimum yard setback; for property in the RA zone located at 341 Wilton Road East.

VOTE: To Grant: 5 To Deny: 0

In favor
Bearden-Rettger, Cole, Fincham
Pastore, Seavy

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 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 position of the house of the undersized lot, along with the location of the septic system and topography on the lot, create an unusual hardship that justifies 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.

Appeal No, 20-001

Veton Alimi

84 North Salem Road

REQUESTED: variances of Section 3.2.B.1., permitted with a zoning permit, 3.5.C., maximum density, 8.1.A.3., nonconforming uses, to allow the expansion of dwelling units in a building from 2 units to 3 units; for property in the RA zone located at 84 North Salem Road.

DATES OF HEARING: February 1, 2021

DATE OF DECISION: February 1, 2021

VOTED: To Grant, variances of Section 3.2.B.1., permitted with a zoning permit, 3.5.C., maximum density, 8.1.A.3., nonconforming uses, to allow the expansion of dwelling units in a building from 2 units to 3 units; for property in the RA zone located at 84 North Salem Road.

VOTE: To Grant: 4 To Deny: 1

In favor
Bearden-Rettger, Cole,
Pastore, Seavy

Opposed
Fincham

The Board voted this action for the following reasons:

1. This property is on an undersized lot with the building very close to the roadway made closer due to the State of Connecticut placing a right of way in front of the lot. Though the property was granted residential use for two units in variance #02-026, a third unit that was located in the building was not included. These factors, along with the continual non-use of the existing third unit, has created an unusual hardship and justifies the granting of variances in this case.
2. The proposal is in harmony with the general scheme of development in the area and the Town's Plan of Conservation and Development and will have no negative impact on surrounding properties.

Appeal No. 20-002
Matt Grossman
366 Wilton Road West

REQUESTED: a variance of Section 3.5.H., setbacks, to allow construction of an addition to a single-family residence within the minimum yard setback; for property in the RA zone located at 366 Wilton Road West.

DATES OF HEARING: February 1, 2021
DATE OF DECISION: February 1, 2021

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow construction of an addition to a single-family residence within the minimum yard setback; for property in the RA zone located at 366 Wilton Road West.

VOTE: To Grant: 5 To Deny: 0

<u>In favor</u>	<u>Opposed</u>
Bearden-Rettger, Cole, Fincham	
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 portion of the driveway currently located on the neighboring property, 370 Wilton Road West, shall be removed.
2. 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 undersized lot, .64 acres in the RA zone, along with the narrow shape of the lot, creates an unusual hardship that justifies the granting of a variance in this case.
2. The addition will not increase the nonconformity of the lot as the addition will be no closer to the lot line than the existing garage.
3. The proposal is in harmony with the general scheme of development in the area and the Town’s Plan of Conservation and Development and will have no negative impact on surrounding properties.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 8:30 pm.

Respectfully submitted,

Kelly Ryan
Administrator