

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

February 7, 2019

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on February 7, 2019, in the Public Meeting Room, Town Hall Annex, 66 Prospect Street, Ridgefield. Copies of tapes of the meeting may be obtained from the Administrator at cost.

This was a special meeting, duly noticed, called for the specific purpose of deciding one appeal that had been closed at an earlier hearing. The Chairman called the meeting to order at approximately 7:30 p.m. Sitting on the Board for the evening were: Glenn Smith (Chairman), Carson Fincham (Vice Chairman) Terry Bearden-Rettger, Sky Cole, and Mark Seavy.

ROTATION OF ALTERNATES

The rotation for the meeting was: first, Mr. McNicholas; second Mr. Byrnes; third Mr. Stenko. No alternates were used for this meeting. Thus, the rotation for the next meeting will be: first, Mr. McNicholas; second Mr. Byrnes; third Mr. Stenko.

The Board held a decision session on **Appeal No. 18-029 – Petition of Sanjay Tripathi**

Appeal No. 18-029
Sanjay Tripathi
Property Located at 90 Canterbury Lane

The legal notice for this petition read as follows:

For an appeal of the decision of the Zoning Enforcement Officer for the issuance of a zoning permit for installation of solar panels; for property in the RAAA zone located at 90 Canterbury Lane.

DATES OF HEARINGS: January 7 and January 28, 2019
DATE OF DECISION: February 7, 2019

RESOLVED: Upon motion of Carson Fincham, seconded by Sky Cole, the appeal of Sanjay Tripathi challenging the decision of the Zoning Enforcement Officer to issue of a zoning permit for the installation of solar panels at 90 Canterbury is hereby SUSTAINED.

Should an application for a Zoning Permit be resubmitted for the ground mounted solar array at the subject property, it shall be reviewed for approval under Section 3.4.C.2 Other Structures – Permitted with Approval of Site Plan (Planning Director).

Should a Zoning Permit be subsequently issued, 1) it shall require adequate screening of the solar panel array from the property located at 78 Canterbury Lane, and 2) any condition(s) attached thereto shall be written as to clearly permit a “net metering” arrangement with the local utility company.

VOTE:	<u>To Sustain</u>	<u>Opposed</u>
	Bearden-Rettger, Cole,	-0-
	Fincham, Seavy and Smith	

The Board voted this action for the following reasons:

1. The Zoning Enforcement Officer erred in classifying the ground mounted solar array as an “Outbuilding,” and issuing the permit under Section 3.4.B.1 as a result.
2. The ground-mounted solar array is more appropriately classified as an “Other Structure,” to be governed under Section 3.4.C.2 Other Structures – Permitted with Approval of Site Plan (Planning Director), which requires a higher level of review.
3. The Board found the requirement for the screening of the array from the neighbor to be appropriate in this instance.
4. The language used in the conditions of the Zoning Permit regarding the use and distribution of energy produced by the array is unclear with respect to the permissibility of net metering, which is not only the owner’s intent, but a requirement of grid-tied systems in the State. As such, this language should be altered to provide clarity on this matter.

As there was no further business before the board, the Chairman adjourned the hearing at approximately 8:45 pm.

Respectfully submitted,

Kelly Ryan
Administrator
