



TOWN OF RIDGEFIELD

Planning and Zoning Commission

APPROVED/REVISED MINUTES PLANNING AND ZONING COMMISSION Zoom Webinar Public Hearing

These minutes are a general summary of the meeting and are not a verbatim transcription.

June 14, 2022 Present: Susan Consentino (Arrived: 7:02 p.m.)
Elizabeth DiSalvo
Joseph Dowdell (Vice Chair)
Robert Hendrick (Chair)
John Katz
Christopher Molyneaux
Ben Nneji
Mariah Okrongly
Joseph Sorena

Also Present: Alice Dew, Director of Planning & Zoning and ZEO
Eileen White, Recording Secretary

1. CALL TO ORDER

Chair Hendrick called the Public Hearing to Order at 7:00 p.m. via the Hybrid Model. He stated that the Agenda needed to be adjusted, as the Chair of the Architectural Advisory Committee (“AAC”), Mr. John Kinnear, was present to speak about **34 Bailey Avenue** under Item 3.1 under Old/Continued Business and would go first. Matter 3.1 had to be voted on this evening within the extension timeline set by the Applicant. There were no objections to the revised Agenda.

1.1. Distribution of agenda & previous minutes.

1.2. Distribution/acknowledgement of correspondence

- 1.2.1. Email from Ms. Gina Carey; Re:34 Bailey Avenue (received May 29, 2022)
- 1.2.2. Letter From Mr. Ahle; Re: Norwalk River Valley Trail (NRVT) (received June 07, 2022)
- 1.2.3. Email from Mr. Carr; Re: Cannabis Establishments (received June 08, 2022)
- 1.2.4. Letter from Mr. Taraglia Re: Cannabis Amendment (received June 13, 2022)
- 1.2.5. Memo from Ms. Seibert WPCA Re: Affordable Housing (received June 14, 2022)



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- 1.2.6. Letter from Mr. Tartaglia Re: Rezone Ethan Allen Highway (received June 14, 2022)
- 1.2.7. Letter from Mr. Goldenberg, Affordable Housing Committee (received June 14, 2022)
- 1.2.8. 17 photos uploaded Re: 34 Bailey Avenue on June 7, 2022.

1.3. Approval of agenda

The Chair having stated the need to revise the Agenda, asked if the Commissioners had any objections. There were none.

2. PUBLIC HEARING

- 2.1. **(Contd.) SP-22-4, 34 Bailey Avenue.** Special Permit Application per Section 9.2 and per Section 5.1.D of the Town of Ridgefield Zoning Regulations for new construction of mixed-use building with 3 commercial units on first floor and 25 residential units in the CBD zone. *35 Days to close a public hearing is June 14, 2022. Owner: Bailey Rail and Granary LLC. Applicant Agent: Robert R. Jewell.*

The Public Hearing is Continued Until June 28, 2022.

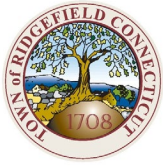
- 2.2. **RZ-22-1; Ethan Allen Highway (F10-0092, G10-0057, G10-0037, G10-0056 totaling 29.204 acres).** Zone change application per Section 9.2.C of the Town of Ridgefield Zoning Regulations, to change the zone from B-2 to Multi Family Development District (MFDD) for four parcels: Tax Assessor's Lots F10-0092, G10-0057, G10-0037, and a 2.782 acre portion of G10-0056. *Statutorily received on April 26, 2022. 35 days to close a Public Hearing is July 19, 2022. Owners: Ridgefield Professional Office Complex LLC and Town of Ridgefield. Applicant Agent: Robert R. Jewell.*

The Applicant Agent was not in the Conference Room to make the presentation.

The Chair said that public comments would be heard from those who were present. Mr. Katz said that he thought that people should speak, but that it was not a good idea.

Public comments were heard from the following:

- Mr. Bob Hagedorn
- Mr. Nicolas Tampo
- Ms. Gina Tampo
- Mr. Juliano Tampo



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- Mr. Costello
- Ms. Lori Mazzola, Ridgefield Voters United
- Ms. Betsy Reid

Comments and questions from the public included why the Wastewater Treatment Plant was decommissioned, was the timing pertinent to the land being purchased by those who wanted to develop it, whether an “open space” option was available for the 15.394 acres and what about the existing business buildings in that zone that have for lease signs.

Commissioner Katz stated that the State of Connecticut had decommissioned the Wastewater Treatment Plant. Chair Hendrick gave a summary of the Planning and Zoning Commission’s regulatory purview.

The Legal Notice was read by Ms. Dew. The Applicant had requested a continuance to June 28, 2022. A reading of the list of documents received for this Matter was waived by the Chair without objection.

The Public Hearing is Continued Until June 28, 2022.

- 2.3. **SP-22-7; 55 Scott Ridge Road.** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations for construction of detached 2-car garage in the front yard. *Statutorily received on May 10, 2022. 35 days to close a public hearing is July 19, 2022. Owner: Howard & Jill Sharfstein. Applicant Agent: Elizabeth DiSalvo.*

Commissioner DiSalvo was recused at 8:53 p.m. and left the Meeting Room. She is an architect with Trillium Architects, the firm that is handling the project.

Architect Megan Loucas of Trillium Architects, who had just come from the AAC Meeting, whereupon the AAC had recommended the project with conditions that including planting evergreens, presented the Application.

Mr. Kirk Carr asked why Ms. DiSalvo was listed as the Applicant Agent and received verification from the Chair as to why Ms. DiSalvo was so designated and explained that Ms. DiSalvo had recused herself.

The Legal Notice was read by Ms. Dew.



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Mr. Katz motioned, Ms. Okrongly seconded, Ms. DiSalvo was recused, Mr. Nneji abstained, to approve as presented with conditions as recommended by the AAC. Motion carried 7-0-2.

Ms. DiSalvo returned to the Meeting Room at 9:00 p.m.

- 2.4. **SP-22-8; 773 Ridgebury Road.** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per section 7.16.D.3 for construction of solar panels more than six feet height in the backyard. *Statutorily received on May 10, 2022. 35 days to close a public hearing is July 19, 2022. Owner: Nicholas & Kiera Friedman. Applicant: Allyson Marroquin.*

Mr. Katz motioned, Mr. Dowdell seconded, Mr. Nneji abstained, to approve as presented. Motion carried 8-0-1.

- 2.5 **SP-22-3; 417 Main Street.** Special Permit Application per Section 9.2 and per Section 5.1.D.4 to expand seating for more than 15 in the lower level of café. *Statutorily received on May 24, 2022. 35 days to close a public hearing is July 19, 2022. Owner: GAJ LLC. Applicant: Heather Bellizi.*

Ms. Bellizi presented the Application.

Questions from the Commissioners included parking and how overflow parking would be managed.

Ms. Dew stated that the WPCA was ok with the proposed project.

Mr. Nneji motioned, Mr. Katz seconded, to approve as presented. Motion carried 9-0.

3. OLD/CONTINUED BUSINESS

- 3.1. **VDC-22-3, 34 Bailey Avenue:** Village District Application (RZR 8.3 and 5.1.B) for new construction of mixed use building with 3 commercial units on first floor and 25 residential units in the CBD zone. *65 days to render a decision is June 09, 2022. Extension granted until June 14, 2022. Owner: Bailey Rail and Granary LLC. Applicant: Robert R. Jewell.*

Mr. John Kinnear, Chair of the AAC, conveyed the role the AAC plays in seeing that proposed building projects in the Town of Ridgefield have compatibility with other buildings and with the environment. He stated that Mr. Patrick Dowend, the owner, had come to see the AAC before he purchased the property. The AAC often sees proposed projects long before the Planning and



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Zoning Commission. Mr. Kinnear stated that the 6 person Committee, which is composed of professionals, asked Mr. Dowend to make some modifications. such as designing the first floor for retail, which is a natural progression and this was done. Mr. Kinnear also said that the AAC members cannot all attend at each Meeting and they requested, and were granted, by the Board of Selectmen a quorum be deemed three members.

Commissioner Okrongly commented that she would have been more satisfied if the AAC had had a full member vote of 6-0, instead of 3-0. Mr. Katz and Ms. DiSalvo concurred.

Commissioner DiSalvo stated that she was concerned about aesthetic erosion with having the first ever four-story building in Ridgefield. Mr. Kinnear said that the AAC also had that concern, but that the historic building could not be restored as it is too close to the road.

Commissioner Sorena said that he thought the developer has done a nice job in maintaining the feel of a historic building.

Ms. Kay Gelfman of the ECDC asked if she could read the ECDC's letter into the Record. Chair Hendrick stated that she would be able to do so later on and, that by virtue of the Commissioners having received the letter, it was already part of the Record.

Commissioner Consentino asked Mr. Kinnear if there were any other issues that had not been addressed going forward. Mr. Kinnear said that landscaping had been a recommendation.

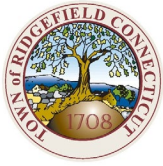
Commissioner Sorena asked about the stormwater management problems and Chair Hendrick conveyed that lighting had also been a recommendation of the AAC.

Attorney Robert Jewell asked through the Chair to have put into the Record that the Applicant worked with each AAC member five times.

Commissioner Katz stated that the AAC is an advisory board.

Attorney Jewell requested a continuance and said that the engineers were meeting tomorrow to work out some minor details. Mr. Katz said that the details were not minor, but major. Mr. Jewell apologized for the inaccurate words.

Ms. Kay Gelfman, a non-voting member of the Economic and Community Development Commission ("ECDC"), read the ECDC letter to the Planning and Zoning Commission into the Record, which included comments about sustaining a vibrant downtown, this project requiring walkability, parking, environmental stability, and historical integrity.



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Mr. Jewell addressed the comments from the letter, including clarifying that the Applicant did not obtain a parking variance. He does not know where that idea came from.

Commissioner Katz stated the owner needed more time to consider his conscience and to consider adding affordable housing to the proposed project. Discussion ensued about the definition of affordable housing with respect to the project.

Commissioner Nneji agreed with the affordable housing concern expressed by Mr. Katz and he said that he was concerned with shared parking as a concept.

Commissioner Sorena stated that the stormwater issue with 34 Bailey Avenue was very important. Attorney Jewell said that the water sheet flows came in either through the Brook or through the Water Retention System, the two systems meet under Prospect Street. Mr. Sorena said he hoped that there would be engineering designed to maintain a viable runoff system.

Other questions and concerns from the Commissioners were summarized by the Chair. They included: stormwater and retention, parking efficiency, sidewalks, crosswalks, affordable housing and massing.

Attorney Jewell conveyed that several of these topics were not within the purview of the Planning and Zoning Commission such as a guarantee of the height of the taller building. The Chair said that the Commissioners were allowed to question the veracity of the proposed plan.

Mr. Katz motioned, Mr. Sorena seconded, Mr. Hendrick abstained, Ms. Consentino voted nay, Mr. Dowdell voted nay, to approve as presented. Motion carried 6-2-1.

- 3.2. **PA 21-1 (Recreational cannabis establishments).** Update on ordinance proposed by Board of Selectmen. Discussion on next steps for PZC. % Chair.

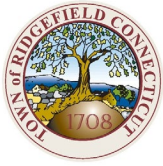
The Chair stated that the Board of Selectmen has it on their Agenda for a Town vote.

- 3.3. **8-30j Affordable Housing Plan.** Update/discussion (if any) on drafting process.

The Chair stated that the Affordable Housing Committee is working on a re-draft for joint Board of Selectmen and Planning and Zoning approval.

4. NEW BUSINESS

- 4.1. **SP-22-10, 38 C Grove Street:** Special Permit Application (per RZR 9.2 & 5.3.D.17) to open a diagnostic sonography (ultrasound) school in the B-2 zone. *Owner: Damima Ridgefield Associates LLC. Applicant: Karen Nussbaumer. For receipt, and scheduling a site walk and Public Hearing.*



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Mr. Katz motioned, Mr. Dowdell seconded, to acknowledge receipt, have individual site walks/drive bys, and schedule a Public Hearing for July 12, 2022. Motion carried 9-0.

- 4.2. **SP-22-11, 114 Main Street:** Revision to Special Permit Application (per RZR 9.2 & 3.2.C.12) to add two more bedrooms to an existing bed & breakfast (“The Fountain Inn”). *Owner: The Fountain Inn Ridgefield LLC. Applicant: Jeff Mose. For receipt, and scheduling a discussion and site walk.*

Mr. Katz motioned, Mr. Nneji seconded, to acknowledge receipt, schedule a Public Hearing for July 12, 2022 and site walk is deemed unnecessary. Motion carried 9-0.

- 4.3. Presentation by Norwalk River Valley Trail. % Charlie Taney, President NRV. *For discussion.*

Mr. Charles Taney, President of the Board of NRV, gave a quick context about the proposed Trail and the 1.3 miles that will include Ridgefield. Ms. Andrea Carter, Executive Director of NRV, was also present.

Engineer Antonio DiCamillo gave a map overview via Zoom.

The NRV stated that they will only need an approval on the parking lot which is on DEEP property.

They have already met with the Inland Wetlands Board.

- 4.4. Referrals from City of Danbury Zoning Commission, re: (1) petition to extend moratorium on Cannabis Establishments within the City of Danbury through July 29, 2023, and (2) petition to amend zoning regulations to allow certain types and quantities of Cannabis Establishments within certain zones, with various restrictions regarding distances to/from other land uses, parking, signage, screening, etc. *For receipt, discussion, and possible action.*

No action was taken.

Commissioner Oksongly requested that a link be placed under items such as this so that the correspondence may be perused.

- 4.5. **A-22-1:** Regulation Amendment Application (per RZR 9.2.B), proposing to prohibit all medical and adult use Cannabis Establishments in all zoning districts in the Town of



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Ridgefield. *Public Hearing required, to open by August 18, 2022. Applicant: Kirk Carr. For receipt and discussion.*

Mr. Sorena motioned, Ms. DiSalvo seconded, to acknowledge receipt and schedule a discussion for July 12, 2022. Motion carried 9-0.

- 4.6. Appointment of Ms. Alice Dew as Zoning Enforcement Officer (ZEO) (per CGS 8-3e & 8-12). *For discussion and action/appointment.*

The Chair acknowledged Ms. Dew for her expert professionalism in taking on the Planning and Zoning Department.

Mr. Katz motioned, Ms. Okrongly seconded, to approve. Motion carried 9-0.

- 4.7. Approval of Minutes.
4.7.1. Site Walk Meeting – May 22, 2022

Ms. Dew reported that there were presently no Site Walk Meeting Minutes.

- 4.7.2. Regular Meeting – May 24, 2022

Mr. Katz motioned, Ms. DiSalvo seconded, to approve as amended. Motion carried 9-0.

5. EXECUTIVE SESSION

- 5.1. Discussion re: P&Z Department staffing & personnel.

6. ADJOURN

Hearing no further discussion, the Chair adjourned the meeting at: 10:20 p.m.

Respectfully Submitted,

Eileen White

FOOTNOTES:

RZR = Town of Ridgefield Zoning Regulations

CGS = Connecticut General Statutes