



TOWN OF RIDGEFIELD

Planning and Zoning Commission

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

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

April 13, 2021 Present: Susan Consentino (Joined at: 7:01 p.m.)
Joseph Fossi
George Hanlon
Robert Hendrick
John Katz
Rebecca Mucchetti, Chair
Ben Nneji
Charles Robbins, Vice Chair

Absent: Joseph Dowdell

Also Present: Richard Baldelli, Director, Planning and Zoning, ZEO
Karen Martin, Town Planner
Eileen White, Recording Secretary

I. Call to Order

Chair Mucchetti called the Public Hearing to Order at 7:00 p.m. via Zoom Webinar. She gave an overview of the Agenda and the aspects of Zoom Webinar procedures.

II. Public Hearing:

1. **#SP-21-6:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.2.C.5 to construct an accessway for a property located at **8 New Street** in R-10 zone. *Owner: New Ridge LLC. Applicant: CV Building Concepts Inc.*

Ms. Martin read the Legal Notice.

Mr. Richard Szentkuti presented the Application, which included the fact that **8 New Street** is available for first cut. He stated that the length of the street property line does not meet the regulations for frontage per lot, which is why a Special Permit Application for an Accessway is necessary.

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Mr. Szentkuti said that Head of the Highway Department had sent a letter of approval.

Project Engineer, Mr. Steven Trinkus, Licensed Professional Engineer from Southbury, Connecticut, stated that the proposed Accessway was within 2 inches of the existing grade. In regards to Stormwater Management, Mr. Trinkus also stated that an infiltration test showed a rate of 2 inches of rain per hour.

Mr. Baldelli had a question about the pre-treatment. Mr. Trinkus responded that the only run-off is roof run-off – accordingly, the water should be free of sediment.

Commissioner Hendrick asked why the accessway was chosen to be put on the side of the property closest to Gilbert Street and asked why Parcel B looks like it is in excess of an allowable impervious area.

Mr. Szentkuti answered that the adjacent lot, 10 New Street, was a narrower lot and he did not want to have two driveways side by side making a large expanse of pavement and that the impervious area is in compliance.

Under Technical Correspondence, Mr. Baldelli stated that, other than the Staff Report, there was only the e-mail from the Department of Public Services approving the proposed location of the accessway.

Ms. Martin said that the Staff Report only had one area of concern and that the Engineer had resolved that concern.

Chair Mucchetti asked if there were any public questions or comments. None were given.

Mr. Baldelli asked for clarification regarding if the design of the project would be in compliance with the storm water quality regulations. Mr. Trinkus said that would be.

Commissioner Consentino asked for clarification if Mr. Hendrick's questions had been answered. Mr. Trinkus stated that Mr. Hendrick's questions had been answered. He said that the stormwater plan detained 770 square feet of impervious surface which was more than the 500 square feet needed to be in compliance with the stormwater regulations.

Hearing no further discussion, the Chair adjourned the Public Hearing at: 7:23 p.m.

2. **#SP-21-7:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.3.C.1 for a home occupation for family fine



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photography and food videography for a property located at **110 North Salem Road** in RAA Zone. Owner: Samuel Kaplan. Applicant: Doug MacMillan.

Ms. Martin read the Legal Notice.

Mr. Sam Kaplan, the Applicant and Mr. Douglas MacMillan, Architect, presented the Application.

Mr. MacMillan gave an overview of the Application, which included that there would be no expansion of the original footprint. Mr. MacMillan furthered that all work would be inside the building and that the flood plain and public water supply requirements were being met.

Mr. MacMillan also said that there will not be any new impervious area. This home occupation is for a home-based business using photography with only digital equipment.

Mr. Kaplan stated that he and his family were happy to be bringing the barn back to life.

Under the Staff Report, Ms. Martin stated that the staff had no concerns with this proposal and that the re-use of a historic structure for a home-based business was in alignment with aspects of the Plan of Conservation and Development.

Comments and questions from the Commissioners included the suggestion of using double doors with transom windows; asking the Applicant to confirm that there would be no chemicals used in the photography; and clarification that bathrooms would be added and if the bathrooms had been okayed by the Inland Wetlands Board.

Mr. MacMillan stated that there would be two bathrooms added and that the public water supply quality controls were in place and that the Inland Wetlands Board has no jurisdiction with interior renovations. Commissioner Hendrick expressed concern about the use expanding beyond what the Commission approves. Mr. Macmillan said that this proposal, like all others, will be monitored and conditions will be enforcement by the Planning and Zoning Department to ensure compliance. Only digital photography equipment will be used.

Chair Mucchetti questioned Mr. Kaplan to ensure that he understood the significance of a condition of approval that required all photography would be done using only digital equipment. Mr. Kaplan replied in the affirmative.

Ms. Martin stated that the Conservation Commission had asked about the use of chemicals in the photography in January of 2021 and that they were satisfied that no chemicals would be used.

Under Public Comments, Ms. Alisa Trachtenberg said that perhaps “no chemicals” should be written into the proposal in case future photography allowed for chemicals to be used.



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In closing remarks, Mr. MacMillan said that this was a reasonable request and Mr. Kaplan re-stated the vision of having the barn come to life again.

Hearing no further discussion, the Chair adjourned the Public Hearing at: 7:44 p.m.

Chair Mucchetti called the Meeting to Order at 7:44 p.m. via Zoom Webinar.

III. Discussions:

1. **#SP-21-6:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.2.C.5 to construct an accessway for a property located at **8 New Street** in R-10 zone. *Owner: New Ridge LLC. Applicant: CV Building Concepts Inc.*

Commissioner Consentino asked that “first cut” be defined for the public.

Mr. Baldelli re-stated the definition of “first cut” as any property in existence prior to March 1, 1959, and contains sufficient acreage for two (2) compliant lots is entitled to, As-of-Right be divided into two (2) separate building lots, without the need to seek Commission approval for the new lots creation.

Mr. Katz motioned, Mr. Robbins seconded, to approve as presented. Motion carried 8-0. Effective Date: April 16, 2021.

2. **#SP-21-7:** Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations per Section 3.3.C.1 for a home occupation for family fine photography and food videography for a property located at **110 North Salem Road** in RAA Zone. *Owner: Samuel Kaplan. Applicant: Doug MacMillan.*

Mr. Fossi, in speaking to the motion, said that proposal meets all the Special Permit requirements of Section 9.2. Mr. Fossi agreed to the proposed language by Chair Mucchetti to clarify that chemicals would not be permitted.

Mr. Fossi motioned, Mr. Robbins seconded, to approve as presented. Motion carried 8-0. Effective Date: April 16, 2021.

3. **#SP-21-4:** Revision to Special Permit Application per Section 9.2 of the Town of Ridgefield Zoning Regulations, to expand Ridgefield Theater Barn located at **37**



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Halpin Lane in ARHD Zone. *Owner: Town of Ridgefield. Applicant: Pamme Jones, Ridgefield Theater Barn.*

The applicant stated that the previously approved addition is being increased by 161 square feet to accommodate ADA standards.

The applicant informed the PZC that the ZBA has granted the necessary building dimension variance.

Discussion ensued about the proposed expansion.

Mr. Katz motioned, Mr. Robbins seconded, to approve as presented. Motion carried 8-0. Effective Date: April 16, 2021.

4. Renewable Energy. % Staff

This was a continued discussion from January of 2021. Discussion centered around whether to permit renewable energy as a primary use or not. At this time, Commission consensus is to not list renewable energy as a primary use.

The consensus was to put this matter on the agenda for the Public Hearing on May 11, 2021.

5. POCD- Implementation update. % Staff

The Commission addressed and prioritized the action items from the Plan of Conservation and Development.

6. Staff report formatting. % Staff

Ms. Martin proposed having the Staff Report contain the Draft Conditions of Approval, and that they be read into the Record with each Application.

The Commission agreed.

IV: New Submissions



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1. **VDC-21-3:** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for constructing an awning for a property located at **424 R Main Street** (850 Pizza) in the CBD zone. *Owner: Urstadt Biddle Properties Inc. Applicant: Larry Debany. For receipt and discussion date.*

Mr. Katz motioned, Mr. Fossi seconded, to Receive and Schedule a Discussion for April 27, 2021. Motion carried 8-0.

2. **VDC -21-4:** Village District Application per Section 8.3 and Sec.5.1.B. of the Town of Ridgefield Zoning Regulations for exterior renovations for a property located at **418 Main Street** in the CBD Zone. *Owner: Urstadt Biddle Properties Inc. Applicant: Diana Juarez. For receipt and discussion date.*

Mr. Katz motioned, Mr. Fossi seconded, to Receive and Schedule a Discussion for April 27, 2021. Motion carried 8-0.

V: Correspondence
None.

VI: Bond Release:

- **#2014-008-PR-SP-VDC, 29 Prospect Street**, Release bond posted for \$32,230.00 for Sitework, mitigation plantings, Stormwater Management systems.

Mr. Katz motioned, Mr. Fossi seconded, to Release the Bond in Full. Motion carried 8-0.

VII: Approval of Minutes:

- **PZC Meeting-March 23, 2021**

Mr. Katz motioned, Mr. Robbins seconded, Mr. Hendrick abstained, to approve as amended. Motion carried 7-0-1.

- **Sitewalk Minutes- April 11, 2021**



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Mr. Katz motioned, Mr. Fossi seconded, Mr. Hendrick to approve. Motion carried 8-0.

The Chair stated that the Governor's Executive Order Declaring an Emergency with the Covid-19 Pandemic, which had previously been reported as being lifted on April 9, will lift on April 19, 2021.

Chair Mucchetti gave an update on the legislative affordable housing and zoning reform bill and also stated that the Governor stated in an article in the Danbury NewsTimes that Towns should decide affordable housing for themselves.

VIII: Adjourn

Hearing no further discussion, the Chair adjourned the meeting at: 9:14 p.m.

Respectfully Submitted,

Eileen White