

ZONING BOARD OF APPEALS OF RIDGEFIELD
MINUTES OF MEETING

November 6, 2023

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on November 6, 2023. 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 Robert Byrnes.

ROTATION OF ALTERNATES

The rotation for the meeting was first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes. Mr. Lycoyannis was unable to attend and asked Mr. Byrnes to sit for him on the new application. Thus, the rotation for the next meeting will be: first, Mr. Lockwood; second, Mr. Stenko; third Mr. Byrnes.

CONTINUED APPLICATION

This application was heard by four members, Ms. Bearden-Rettger, Mr. Seavy, Mr. Cole and Mr. Pastore with the approval of the applicant.

Application 23-017

The Trustees of the George A Craig Revocable Trust u/d February 16, 2011 and Susan E. Craig Revocable Trust u/d February 16, 2011
61 Lee Road

Attorney Robert Jewell again represented the applicants. He briefly went over the application and what was presented at the October 16 hearing. Mr. Jewell had submitted to the Board after the last hearing, two legal cases from Connecticut courts which supported his argument that the hardship was not self-created. Ms. Bearden-Rettger asked for clarification. Mr. Jewell replied that it was more of a policy argument, the PRD regulation was created to protect neighboring 2-acre lots, but in this application, there was no 2-acre lots to protect from the setback change. This resubdivision would result in only one, 1-acre lot newly and an open space donation of almost 4 acres. The hardship, Mr. Jewell stated was the application of the PRD setback regulation.

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

NEW APPLICATION

This application was heard by Ms. Bearden-Rettger, Mr. Seavy, Mr. Cole, Mr. Pastore and Mr. Byrnes.

Application 23-018

George and Filomena Pace
50 Mead Ridge Road

Mr. and Mrs. Pace appeared for their application. They explained they wanted to do an addition to the east side of their house. House was on a cul-de-sac and angled towards the road towards the front of the lot. The addition would be 32ft. from the cul-de-sac and 26.5ft. from the east property line. A setback variance was requested. The lot was 2.8 acres in the RAA zone with a required 35 ft. setback. Hardships were listed as wetlands on the west side and rear of the lot. A stream was also located on the property. The

Board questioned if the addition could be moved back slightly out of the setback. Mr. Pace replied it would then be placed within the wetland setback for building. The topography with a steep drop-off in the rear was also cited as a hardship.

Two neighbors of the Pace's appeared and stated they approved on the submitted plans. No one appeared against the application. A decision can be found at the end of these minutes.

ADMINISTRATIVE:

An item on the agenda was an administrative item: the approval of the 2024 calendar. The following calendar was approved unanimously by the Board.

January	8 th
February	5 th
March	4 th & 25 th
April	8 th & 22 nd
May	13 th & 20 th
June	3 rd & 17 th
July	1 st , 15 th & 29 th
September	9 th & 23 rd
October	7 th & 21 st
November	4 th & 18 th
December	2 nd & 16 th

DECISIONS:

Application 23-017

The Trustees of the George A Craig Revocable Trust u/d February 16, 2011 and Susan E. Craig Revocable Trust u/d February 16, 2011
61 Lee Road

REQUESTED: a variance of Section 4.1.D.6.c., setbacks for perimeter lots in a Planned Residential Development, to allow the currently existing accessory structures on the property to remain approximately 35 feet from the perimeter boundary instead of the required 50 feet as part of the subdivision of the property; for property in the RAA zone located at 61 Lee Road.

DATES OF HEARING: October 16 and November 6, 2023
DATE OF DECISION: November 6, 2023

VOTED: To Grant, a variance of Section 4.1.D.6.c., setbacks for perimeter lots in a Planned Residential Development, to allow the currently existing accessory structures on the property to remain approximately 35 feet from the perimeter boundary instead of the required 50 feet as part of the subdivision of the property; for property in the RAA zone located at 61 Lee Road.

VOTE: To Grant: 4 To Deny: 0

In favor
Bearden-Rettger, Cole,
Pastore, Seavy

Deny

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 property lines 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 to other Town departments for approval 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 application of the planned residential development setback rules causes a hardship on the existing structures on the property. This hardship 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 the Town’s Plan of Conservation and Development and will have no negative impact on surrounding properties.

Application 23-018
George and Filomena Pace
50 Mead Ridge Road

REQUESTED: a variance of Section 3.5.H., setbacks, to allow an addition to a single-family home that will not meet the minimum yard setback; for property in the RAA zone located at 50 Mead Ridge Road.

DATES OF HEARING: November 6, 2023
DATE OF DECISION: November 6, 2023

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow an addition to a single-family home that will not meet the minimum yard setback; for property in the RAA zone located at 50 Mead Ridge Road.

VOTE: To Grant: 5 To Deny: 0

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

Deny

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 permit application shall be the same as those submitted and approved with the application for variance.

The Board voted this action for the following reasons:

2. The presence of wetlands on the property creates a 100’ setback restricting any addition in that area. This along with the topography, shape of the lot and the position of the house on the lot, creates hardships that justifies the granting of a variance in this case.
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.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 7:50 pm.

Respectfully submitted,

Kelly Ryan

Administrator