

**ZONING BOARD OF APPEALS OF RIDGEFIELD**  
**MINUTES OF MEETING**

**December 4, 2023**

**NOTE:** These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on December 4, 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, Alexander Lycoyannis and Robert Byrnes.

**ROTATION OF ALTERNATES**

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

**Application 23-019**

**Adela Gondek and Lawrence Brown**  
**180 North Salem Road**

Ms. Gondek appeared for her application along with her architect Alain Caren of Howard Raabe Associates. Mr. Caren explained to the Board that the proposed plans were to extend the master bedroom on both sides over an existing first floor. The house was nonconforming to setbacks but the submitted plans did not change the setback number. The existing first floor had a flat roof and it appeared a past extension was planned but never completed. The house was built in approximately 1740 and was actually three houses now merged. The same architectural styles for the renovation was planned. Ms. Gondak stated that the older home had been built close to the road as common during that time period.

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

**Application 23-020**

**Richard Vail, agent for Colleen and Earl Flath**  
**149 Main Street**

Mr. Vail appeared for the application along with Mr. and Mrs. Flath. Mr. Vail stated to the Board that they wished to demolish an existing screened in porch and construct a conservatory on the existing foundation of 180 sq ft. They also planned a 1-story family addition over an existing brick patio with a mudroom. Their plans did not affect the setback but would add an additional 340 sq ft of lot coverage. The property was already over on permitted lot coverage by 133 sq ft. The house was 1-acre in the RA zone and was built in 1750. A Certificate of Appropriateness was submitted by the Historic District Commission approving the submitted plans.

Mr. Cole asked for hardships. Mr. Vail stated that the property pre-dated zoning regulations. Ms. Bearden-Rettger stated that several structures, including the garage and pool were built in the 1980's and those additions increased the lot coverage.

A discussion was held to see if the mudroom or the family room as a whole could be eliminated to save on lot coverage totals. Any changes to the submitted plans would have to be re-submitted to the HDC first before editing any variance plans.

A continuance was granted to the applicants to a future ZBA meeting to revise their plans and get HDC approval, if necessary.

**Application 23-021**  
**David Adams, agent for Daniel Crowley**  
**50 Wilton Road East**

Attorney Robert Jewell represented Mr. Adams who was ill and unable to attend. An authorization letter was submitted prior to the hearing. This property was granted a variance in September 2023. While starting the construction to add dormers to the second floor as granted in the earlier variance, it was discovered that the roof was rotting and the applicants would now like a variance to allow them to add a new second story to the house. The new plans, it was noted, would make the historic home more structurally sound. The addition will not increase the setback nonconformity, as the house is currently within the RAA setback. Hardships were the same as found in #23-014 and listed as the shape of the narrow lot and the position of the house on the lot. Property was vested in 1900 prior to the enactment of zoning regulations.

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

**DECISIONS:**

**Application 23-019**  
**Adela Gondek and Lawrence Brown**  
**180 North Salem Road**

REQUESTED: a variance of Section 8.1.B.4.a, nonconforming structures, to allow an addition to a legally nonconforming structure; for property in the RAA zone located at 180 North Salem Road.

DATES OF HEARING: December 4, 2023  
DATE OF DECISION: December 4, 2023

VOTED: To Grant, a variance of Section 8.1.B.4.a, nonconforming structures, to allow an addition to a legally nonconforming structure; for property in the RAA zone located at 180 North Salem Road.

VOTE: To Grant: To Deny: 0

<u>In favor</u>	<u>Deny</u>
Bearden-Rettger, Byrnes, Cole, Lycoyannis, Seavy	

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:

1. This property was vested in 1740 prior to the enactment of zoning regulations. The house was built close to the road, and the road has been widened over time. Therefore, the position of the house on the lot, has created a hardship that justifies the granting of a variance in this case.
2. It is noted that the approved plans will not increase the nonconformity of the property as the setback will not be increasing.
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.

**Application 23-021**  
**David Adams, agent for Daniel Crowley**  
**50 Wilton Road East**

REQUESTED: a variance of Section 3.5.H., setbacks, to allow an addition to an existing nonconforming house that does not meet the required setback; for property in the RAA zone located at 50 Wilton Road East.

DATES OF HEARING: December 4, 2023  
DATE OF DECISION: December 4, 2023

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow an addition to an existing nonconforming house that does not meet the required setback; for property in the RAA zone located at 50 Wilton Road East.

VOTE: To Grant: To Deny: 0

<u>In favor</u>	<u>Deny</u>
Bearden-Rettger, Byrnes, Cole, Lycoyannis, Seavy	

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 hardships listed for variance #23-014 still apply to this application including the position of the house on the undersized, narrow lot.
2. It is noted that the poor condition of the roof in this historic home compelled the approved plans to ensure the house was structurally safe,
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.

**ADMINISTRATIVE:**

**Election of Chairperson and Vice Chairperson**

One a motion by Mr. Cole, seconded by Mr. Lycoyannis and passed unanimously, Terry Bearden-Rettger was re-elected Chair for a period of one year. One a motion by Mr. Cole, and seconded by Ms. Bearden-Rettger, Mark Seavy was re-elected Vice Chair for a period of one year.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 8:10 pm.

Respectfully submitted,

*Kelly Ryan*

Administrator