

ZONING BOARD OF APPEALS OF RIDGEFIELD
MINUTES OF MEETING

April 19, 2021

NOTE: These minutes are intended as a rough outline of the web-based Zoom proceedings of the Board of Appeals on Zoning of Ridgefield held on April 19, 2021. Copies of recordings of the meeting may be obtained from the Administrator at cost.

The Chairman called the web-based special meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Carson Fincham (Chair), Terry Bearden-Rettger, Mark Seavy, Joseph Pastore and Robert Byrnes.

ROTATION OF ALTERNATES

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

NEW APPLICATIONS:

Appeal No. 21-010
Michael and Linda Queenan
147 Barry Avenue

Applicant Michael Queenan appeared for his hearing. He stated to the Board that the property was granted a variance in 2010 #10-029, for various alterations to the house. Certificate of Occupancies were not issued after those alterations. An addition of deck stairs resulted in the pivoting of the stairs 45 degrees and 2 ft into the setback. These stairs were not as shown on the approved plans from 2010. The steps led to a ground level stone patio that was existing.

Mr. Fincham reviewed the approved 2010 plans versus the plans submitted for the current application. A roof overhang in the front of the house was also constructed further from the setback than what was approved in 2010.

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

Appeal No. 21-011
Richard Artia and Krystin Moonan
10 Stonecrest Road

Richard Arita appeared for his hearing. He stated to the Board that the proposed plans included two new bedroom additions with a bathroom. The house was nonconforming to setbacks at 28 ft in the RAA zone and a setback variance was requested. A lot coverage variance was also requested with the addition of 578 additional sq ft., approximately 260 sq ft over the allowed amount. Hardships were listed as the house located in the corner of the lot and the location of the 3-car attached garage in relation to the living space. Mr. Fincham stated there was hardship for granting a setback variance but the additional lot coverage request was excessive. Other board members agreed. Mr. Arita stated the 3-car garage that was existing when they purchased in 2014, took up much of the footprint and the layout of the house would not allow the conversion of a garage bay to living space. He further stated the addition could not be scaled back since the proposed bedrooms were already small, approximately 10x14.

Neighbor Peter Fine of 224 North Street appeared in favor of the application. He stated that Mr. Arita and his wife Ms. Moonan have greatly approved their home and property

and the proposed plans will further improve the lot. Neighbors Brian and Ann Marie Jennings of 16 Stonecrest Road also appeared in favor of granting the variances. They stated the setback was not an issue to them as the closest neighbor and the lot has greatly improved since the applicants have moved there.

Mr. Fincham suggested Mr. Arita review the possibility of switching allowable floor area ratio with lot coverage and a continuance was granted to the next ZBA meeting.

No one else appeared to speak for or against the application and the hearing was continued until May 10.

DECISIONS:

Appeal No. 21-010

Michael and Linda Queenan

147 Barry Avenue

REQUESTED: a variance of Section 3.5.H., setbacks, to permit an addition built closer to the property than was approved in variance #10-029, to remain at its current location; for property in the RAA zone located at 147 Barry Avenue.

DATES OF HEARING: April 19, 2021

DATE OF DECISION: April 19, 2021

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to permit an addition built closer to the property than was approved in variance #10-029, to remain at its current location; for property in the RAA zone located at 147 Barry Avenue.

VOTE: To Grant: 5 To Deny:

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

Opposed

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 same reasoning as set forth in the previously granted variance #10-029 remains valid: The severely undersized lot (.1704 acres in the RAA zone), along with the odd shape of the lot, creates an unusual hardship that justifies the granting of a variance in this case.
2. The differences in the as-constructed addition as compared to the previously approved plan are small and do not increase the overall non-conformity of the property – in fact, there are several areas of the as-built that are further from the property line than previously approved.
3. 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.

As there was no further business before the Board, the Chairman adjourned the hearing at approximately 8:15 pm.

Respectfully submitted,

Kelly Ryan
Administrator