

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

January 4, 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 January 4, 2021. Copies of recordings of the meeting may be obtained from the Administrator at cost.

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

ROTATION OF ALTERNATES

The rotation for the meeting was first Mr. Byrnes, second Mr. Lockwood, third Mr. Stenko. No alternate was needed, so the rotation will stay the same for the next meeting.

CONTINUED PETITIONS:

Appeal No. 20-030

American Sign Inc., agent for Equity One (Copps Hill Inc.)
125 Danbury Road

Applicants withdrew their petition prior to the hearing.

Appeal No. 20-024

Joseph Santoro
341 Wilton Road East

Applicants asked for another continuance prior to the hearing.

NEW PETITIONS:

Appeal No. 20-033

Ridgefield Housing Authority
25 Gilbert Street

Commission members Frank Coyle and Vinny Liscio appeared for the application. Mr. Coyle explained to the Board that the RHA recently constructed an outdoor pavilion at one of their locations. The RHA consisted of 152 living units at two locations in Ridgefield offering senior and affordable housing. Its programs are not run by the Town of Ridgefield. The pavilion had to be 50 ft from the property lot line, as that was the setback in the MFDD zone. A surveying error occurred and the overhang on the pavilion was placed at 49.6 ft from the property line. A setback variance was requested. Mr. Fincham asked if other buildings on the lot were closer to the setback than the pavilion. Mr. Coyle replied that the Alternative High School on the lot was closer. Mr. Cole asked what type of foundation was used in construction. Mr. Liscio replied that 48-inch stakes and gravel were installed. Mr. Pastore asked what the economics would be to redo the pavilion and build it to the correct setback. Mr. Coyle replied the commission has not reviewed the redo costs but stated the pavilion was built with a charitable donation and grants from the state. The commission would not spend any other funds to redo the project. Mr. Cole stated that the contractors for the project likely had insurance and could pay for the cost of redoing the overhang and making it compliant with the setback.

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

DECISION:

Appeal No. 20-033
Ridgefield Housing Authority
25 Gilbert Street

REQUESTED: a variance of Section 4.2.C.3., minimum yard setbacks, to allow a pavilion to remain within the minimum yard setback; for property in the MFDD zone located at 25 Gilbert Street.

DATES OF HEARING: January 4, 2021

DATE OF DECISION: January 4, 2021

VOTED: To Grant, a variance of Section 4.2.C.3., minimum yard setbacks, to allow a pavilion to remain within the minimum yard setback; for property in the MFDD zone located at 25 Gilbert Street.

VOTE: To Grant: 4 To Deny: 1

In favor
Bearden-Rettger, Fincham
Pastore, Seavy

Opposed
Cole

The Board voted this action for the following reasons:

1. The setback variance being requested is from an interior lot line of a town-owned four-parcel campus where the 50 ft. perimeter setbacks are clearly intended to protect the property values of those properties adjacent to this MFDD zone.
2. The addition of the pavilion caused no increase in nonconformity, as other buildings on the property are located within the setback area, closer to the lot line than the pavilion.
3. The use of charitable donations and public funding from the State of Connecticut for the construction project, encumbers the Ridgefield Housing Authority's options to alter or replace the pavilion.
4. These reasons combine to create an unusual hardship that justifies the variance requested in this case.
5. 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 7:35 pm.

Respectfully submitted,

Kelly Ryan
Administrator