

ZONING BOARD OF APPEALS OF RIDGEFIELD

MINUTES OF MEETING

September 9, 2019

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on September 9, 2019 in the Public Meeting Room, Town Hall Annex, 66 Prospect Street, Ridgefield. Copies of recordings of the meeting may be obtained from the Administrator at cost.

The Chairman called the special meeting to order at approximately 7:00 p.m. Sitting on the Board for the evening were: Glenn Smith (Chairman), Carson Fincham (Vice Chairman), Sky Cole, Mark Seavy and Robert Byrnes.

ROTATION OF ALTERNATES

The rotation for the meeting was: first, Mr. McNicholas; second Mr. Byrnes; third Mr. Stenko. Ms. Bearden-Rettger was unable to attend and asked Mr. Byrnes to sit of her behalf. Thus, the rotation for the next meeting will be: first, Mr. McNicholas; second Mr. Stenko; third Mr. Byrnes.

NEW PETITIONS

Appeal No. 19-019
Estate of Arthur Edelman
129 Spring Valley Road

Sally Slater, represented the estate for the hearing. Ms. Slater stated that her family did not know until after her father's death, that a permit for an addition to one of the homes on the lot was not taken out. The estate was asking for a variance to allow the addition to remain. Three neighboring lots owned by the estate were in contract for sale. Ms. Slater stated her hardships as having two legal residential dwellings on the large lot. She also noted the property met all other regulations. Mr. Smith read the hardships listed in previous variances.

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

Appeal No. 19-020
Charles Karas & Sarah Blank
31 Saint John's Road

Mr. Karas and Ms. Blank appeared for their petition. Ms. Blank stated to the Board that they recently purchased the property which was built in 1750. The structures and property had required much work and renovation. They would like to add a 12 x 24 shed structure to the rear for storage and possibly as a garage. The application placed the shed 33.5 ft. from the side setback. The property was in the RAA zone with a 35 ft. setback. Mr. Cole asked what the hardships would be. Ms. Blank replied the location of the septic restricts the location and they wanted it to be visually pleasing. Mr. Fincham stated that the Board requires a hardship and suggested placing the shed outside the setback. Mr. Smith agreed that the shed could be placed outside the setback and the Board could not find hardship for their proposed placement.

Applicants decided to withdraw their petition and revise the plans to locate it outside the setback. No one appeared to speak for or against granting the petition and the hearing was concluded.

Appeal No. 19-021

Gary Doski, agent for Adam and Abby Thompson
11 Ivy Hill Road

Mr. Doski represented the applicants. He stated to the Board that the owners wanted to remove the existing 2-car garage and shed and replace it with a 3-car garage with an upper level. The proposed addition would bring the side setback to 13.6 ft. Lot was in the RA zone with a 25 ft. setback. An additional 201 sq. ft of FAR was also requested. Mr. Doski listed hardships as the property line being closer than appearing due to an easement on the side of the property. The owners believed their property line went to the stone wall bordering the property prior to doing a survey. Mr. Smith asked for a hardship for FAR while also stating the FAR variance request could be eliminated if the proposed deck was built smaller. Mr. Fincham stated that the lot was slightly undersized but no hardships for FAR were presented.

The applicants asked for a continuance to review their submitted plans and make edits. No one appeared to speak for or against granting the petition and the hearing was continued to the September 16 meeting.

Appeal No. 19-022

Doug MacMillan, agent for Megan Searfoss
188 North Street

Architect Doug MacMillan appeared for the applicants. Mr. MacMillan explained to the Board that the property owners had an undersized lot, 1 acre in the RAA zone. Their submitted plans showed a screened in porch over an existing deck, no increase in the porch footprint but the proposed overhangs went further into the setback. The setback for the overhang would be 33 ft from the property line, an increase from 35.10 ft. The house was already located in the setback, its closest point at 30.4 ft. Mr. MacMillan listed the hardships as an undersized lot and no increase in the legally nonconforming lot.

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

The Board voted the following actions:

DECISIONS

Appeal No. 19-019

Estate of Arthur Edelman
129 Spring Valley Road

REQUESTED: a variance of Section 8.1.B.2., nonconforming structures, to authorize the existing expansion of a dwelling unit on a parcel that has two single-family dwellings; for property in the RAAA zone located at 129 Spring Valley Road.

DATE OF HEARING: September 9, 2019

DATE OF DECISION: September 9, 2019

VOTED: To Grant, a variance of Section 8.1.B.2., nonconforming structures, to authorize the existing expansion of a dwelling unit on a parcel that has two single-family dwellings; for property in the RAAA zone located at 129 Spring Valley Road.

VOTE: To Grant: 5 To Deny: 0

In favor Opposed
Byrnes, Cole, Fincham
Seavy and Smith

The Board voted this action for the following reasons:

1. The hardships listed in variance # 13-003 still apply to this petition.
2. 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.

Appeal No. 19-022
Doug MacMillan, agent for Megan Searfoss
188 North Street

REQUESTED: a variance of Section 3.5.H., setbacks, to construct a screened-in porch over an existing deck that will not meet the minimum required setback; for property in the RAA zone located at 188 North Street.

DATE OF HEARING: September 9, 2019
DATE OF DECISION: September 9, 2019

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to construct a screened-in porch over an existing deck that will not meet the minimum required setback; for property in the RAA zone located at 188 North Street.

VOTE: To Grant: 5 To Deny: 0

In favor Opposed
Cole, Byrnes, Fincham
Seavy and Smith

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 variance application.

The Board voted this action for the following reasons:

1. The upzoning of the property from RA to RAA, creating the undersized lot presents an unusual hardship that justifies the granting of a variance in this case. It is noted that the approved plans do not increase the existing setback nonconformity.

2. 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 8:00 pm.

Respectfully submitted,

Kelly Ryan
Administrator