

ZONING BOARD OF APPEALS OF RIDGEFIELD
APPROVED MINUTES OF MEETING

July 15, 2024

NOTE: These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on July 15, 2024. Copies of recordings of the meeting may be obtained from the Administrator.

The Chair 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 Michael Stenko.

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. Stenko to sit for him. Thus, the rotation for the next meeting will be: first, Mr. Lockwood; second, Mr. Byrnes; third Mr. Stenko.

NEW APPLICATIONS

Application 24-025
ANB Enterprises LLC
680 Danbury Road

Attorney Robert Jewell appeared to represent the applicants along with architect Peter Coffin. Mr. Jewell provided some history of the property. It was a Carvel until approximately 1977, it then became the Ridgefield Ice Cream Shop. The new owners are naming the business Flobee's and are requesting a variance to put a sign on the roof of the building. Roof mounted signs are not allowed under the B2 zoning regulations. The sign would be 25 sq ft on each side as allowed under the regulations. Historically all Carvel locations had signs on their building's roofs. Mr. Coffin stated to the Board that the applicants wished to keep the iconic design of the Carvel shops with the roof sign along with the style of the awnings and lighting. Mr. Jewell stated he could not find any photos or zoning records of signage for this particular location. A sign illumination variance was also requested in the application, but Mr. Jewell now stated that particular variance was not needed. A separate ADA complaint bathroom building was planned along with an outdoor seating area which require a special permit from the Planning and Zoning Commission.

Mr. Jewell submitted maps of the property that showed Route 7 was at one time 2-lane highway. The state took some of the frontage on the property when the highway was converted to a 4-lane highway. Additional hardships were listed as the narrow lot, and highly vegetated neighboring lots creating visibility issues for a wall or building mounted sign. A letter from the Historic Preservation Commission was also read into the record and submitted to the file in support of the application. An article from an architectural website regarding the design history was also submitted.

Mr. Lycoyannis stated that the sign could be lower, affixed to the building and still be seen. Mr. Jewell replied that Route 7 had a speed limit of 40 mph so a roof sign would increase viability for passing motorists. The total height of the building with the roof sign would be 17ft. Other Board members stated a sign affixed to the building would still be visible from the road. Mr. Jewell asked for a continuance until the next meeting date to allow the Board members to review the property and surrounding signage on neighboring properties. He asked them to review the visibility of the building traveling in both directions.

Nadia Blair the owner of the property appeared. She described her plans for the business and design.

A continuance was granted until the July 29 meeting.

Application 24-026
Sharon and Kevin McSpedon
154 High Ridge Avenue

Attorney Robert Jewell represented the applicants who were also present. Mr. Jewell explained to the Board that the applicants were asking for an addition to their home. The property was located in 2 different zones, R20 and R 7.5. An earlier variance granted the property the right to use the lot as a R 7.5 zone in order to make it conforming to setbacks. The house was built in 1880, the two other garage accessory structures were built around 1900. House was currently nonconforming to lot coverage after the 2007 enactment of the lot coverage regulations in Town. The proposed plans added an additional 300 sq ft on two levels rounding out the rear of the house. Proposed plans did not change the setback or bring the house any closer to the neighboring lots. The property was already over on the allowable coverage amount by approximately 300 sq ft. Photos were submitted that showed the small size of the kitchen. The galley style of the kitchen was a safety concern, Mr. Jewell stated. Modernization would allow an escape route during a kitchen fire and reconstruction of the steep basement stairs.

A neighbor at 47 Catoonah Street appeared in favor of the application. An emailed letter from neighbors at 160 High Ridge Avenue submitted prior to the meeting, was also in favor of granting the application. No one appeared against the granting of the variance. A Decision can be found at the end of the minutes.

Application 24-027
Olivia Mandelbaum
46 West Branchville Road

Architect John Kinnear appeared along with the applicant. He explained to the Board that the proposed plans were to add a 308 sq ft addition to connect the main house with an accessory building on the property. The house was built in 1900 on a lot that was later divided. A setback variance was requested in the RA zone, though there would be no change in the existing setback. The addition would be on the first level only. Hardships were listed as the lot predating zoning regulations, shape of the lot and location of the house and garage close to the property line.

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

ADMINISTRATIVE

Voted Approval of June 3, 2024 meeting minutes.

DECISIONS:

Application 24-026
Sharon and Kevin McSpedon
154 High Ridge Avenue

REQUESTED: variances of Sections 3.5.F., lot coverage and 8.1.B.4., nonconforming structures, to allow an addition on a nonconforming property that will exceed the permitted lot coverage; for property in the R 7.5 zone located at 154 High Ridge Avenue.

DATES OF HEARING: July 15, 2024
DATE OF DECISION: July 15, 2024

VOTED: To Grant, variances of Sections 3.5.F., lot coverage and 8.1.B.4., nonconforming structures, to allow an addition on a nonconforming property that will exceed the permitted lot coverage; for property in the R 7.5 zone located at 154 High Ridge Avenue.

VOTE: To Grant: 5 To Deny: 0

In favor Deny
Bearden-Rettger, Cole, Lycoyannis,
Seavy, Stenko

CONDITIONS:

This action is subject to the following conditions that are an integral and essential part of the decision. Without these conditions, 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.
2. 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. The house and accessory structures predate the enactment of zoning regulations which resulted in the property becoming nonconforming to lot coverage. This has created a hardship that justify the granting of a variance in this case.
2. It is noted that the approved plans will resolve safety issues by modernizing the kitchen and basement stairs.
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 24-027
Olivia Mandelbaum
46 West Branchville Road

REQUESTED: a variance of Section 3.5.H., setbacks, to allow an addition to a house within the minimum yard setbacks; for property in the RA zone located at 46 West Branchville Road.

DATES OF HEARING: July 15, 2024
DATE OF DECISION: July 15, 2024

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow an addition to a house within the minimum yard setbacks; for property in the RA zone located at 46 West Branchville Road.

VOTE: To Grant: 5 To Deny: 0

In favor Deny
Bearden-Rettger, Cole, Lycoyannis,
Seavy, Stenko

CONDITIONS:

This action is subject to the following conditions that are an integral and essential part of the decision. Without these conditions, 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.
2. 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. The house and accessory structure predate zoning regulations. This along with the shape of the undersized lot and location of the structures on the property, create hardships that justify the granting of a variance in this case.
2. It is noted that the approved plans do not increase the setback nonconformity.
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 8:50 pm.

Respectfully submitted,

Kelly Ryan

Administrator