

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

**February 3, 2025**

**NOTE:** These minutes are intended as a rough outline of the proceedings of the Board of Appeals on Zoning of Ridgefield held on February 3, 2025. 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: Mark Seavy, Terry Bearden-Rettger, Joseph Pastore, Robert Byrnes, Sky Cole and Michael Stenko.

**ROTATION OF ALTERNATES**

The rotation for the meeting was first, Mr. Robert F. Byrne, second, Mr. Cole, third, Mr. Stenko. Mr. Seavy recused himself for one application noted below. First alternate Robert F. Byrne was unable to sit, so Mr. Stenko sat for Mr. Seavy on that application. Mr. Lycoyannis was unable to attend the hearing, so Mr. Cole sat for him. The rotation for the next meeting will be the: first, Mr. Byrne, second Mr. Stenko; third, Mr. Cole.

**CONTINUED APPLICATION**

**Application 25-001**

**Lions Creek Construction, agent for Jennifer Lynne**  
**4 Blacksmith Ridge Road**

Applicant withdrew the variance application prior to the start of the hearing.

**NEW APPLICATIONS**

**Riverside Real Estate, LLC**

**Application 25-004**  
**137 Ethan Allen Highway**

This application was heard by: Ms. Bearden-Rettger, Mr. Pastore, Mr. Cole, Mr. Byrnes and Mr. Stenko.

Attorney Robert Jewell represented the applicants who were also present. Applicants are owners of Nod Hill Brewery and are requesting sign variances for the property and business. The brewery has been operational since 2016 after a special permit was granted. That special permit also granted a free-standing sign on Ethan Allen Highway. A new sign was installed last year. The Architectural Advisory Committee discovered the sign was larger than what was approved in 2016. A variance for that sign increase was requested, but not advertised. However, Mr. Jewell stated an architect remeasured and found the sign to be within the allowable square footage. It was unclear at this time if applicants would need to return for a variance for the free-standing sign.

The property was 15+ acres in the B2 zone, a former factory site that now houses the brewery and some fencing companies. The application was also requesting a variance for a projecting sign advertising which food trucks would be at the brewery and a sandwich style, A-frame temporary sign stating if the brewery was open or closed. Applicant Rob Kaye stated that the sandwich style sign would be displayed while open and removed each night. Mr. Jewell stated to the Board that food trucks stationed at the brewery varied, so a permanent sign was not an option. The zoning regulations only allowed 4 temporary signs per year, for a two-week period, so a variance for unlimited special events signage was requested. Mr. Jewell listed hardships as the location of the building, some 200 ft. from the highway, the business signage as 45 ft from the highway, the topography of the property including an entrance bridge over the river to enter the lot and the speed limit with vehicles traveling at high rates of speed being unable to see any

signage. Also listed as a hardship was the building not having any windows so motorists would be unable to tell if it was open for business. The Board discussed adding a condition to the decision stating the sandwich style sign could only state the brewery was open or closed and if there was live music. Mr. Jewell stated the applicants would agree to such condition.

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

The following applications were heard by: Ms. Bearden-Rettger, Mr. Pastore, Mr. Cole, Mr. Byrnes and Mr. Seavy.

**Nicolae and Lisa Caldari**  
**Application 25-002**  
**40 Walnut Grove Road**

Nicolae and Lisa Caldari appeared for their application. Submitted plans requested a setback variance for an attached garage addition to a single-family home. A presentation was also submitted to the file detailing the plans. The lot was 1 acre in the RAA zone and currently nonconforming to the RAA setback at 30'. The proposed addition would be 25' from the property line and conform to the RA setback. Additional hardships were listed as the location of the house on the pie shaped lot.

A letter from a neighbor at 35 Walnut Grove was submitted prior to the hearing in support of the application.

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

**Jonathan Kost, agent for Joseph Kroetsch and Kristin Uscinski**  
**Application 25-003**  
**15 Hidden Lake Court**

Architect Jonathan Kost appeared for the homeowners. The proposed plans were to add a second story to an existing nonconforming structure on the lot. The structure was within the setback at 11.5' approved thru variance, #83-023. The proposed second story will add 385 sq ft on a second floor, but the footprint of the structure would not be expanded. The proposed second floor would be used as an office space. The existing first floor would add a bathroom and be used as a guest room or entertainment space. An accessory dwelling unit may be applied for in the future. Hardships were listed as the location of the existing structure in the setback, undersized lot and the steep topography of the lot.

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

**ADMINISTRATIVE**

The Board voted for approval of the January 6, 2025 meeting minutes.

**Riverside Real Estate, LLC**  
**Application 25-004**  
**137 Ethan Allen Highway**

REQUESTED:               variances of Sections 7.2.E.2., and 7.2.E.9., types of signs, to allow a sign larger than the permitted 25 sq ft and for additional temporary signage permits than allowed under the regulations; for property in the B2 zone located at 137 Ethan Allen Highway.

DATES OF HEARING:               February 3, 2025  
DATE OF DECISION:               February 3, 2025

VOTED: To Grant, variances of Sections 7.2.E.2., and 7.2.E.9., types of signs, to allow a sign larger than the permitted 25 sq ft and for additional temporary signage permits than allowed under the regulations; for property in the B2 zone located at 137 Ethan Allen Highway.

VOTE: To Grant: 4 To Deny: 1

<u>In favor</u>	<u>Deny</u>
Byrnes, Cole, Pastore, Stenko	Bearden-Rettger

- 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 projecting sign located on Ethan Allen Highway shall remain exactly as shown on plans and drawings presented to the Board during the hearing and made part of this decision.
  2. The temporary signage or sandwich board-style signage, shall only contain language that states if the establishment is Open or Closed and if there is Live Music. No other wording is permitted on this signage

- The Board voted this action for the following reasons:
1. The building for this business is located 200’ from Ethan Allen Highway and behind a building fronting Ethan Allen Highway. The free-standing sign is located 45’ off the highway making the business difficult to see from the roadway. These factors, along with the shape of the lot and the river in the front of the lot, creates hardships that justify the granting of variances in this case.
  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.

**Nicolae and Lisa Caldari**  
**Application 25-002**  
**40 Walnut Grove Road**

REQUESTED: a variance of Section 3.5.H., setbacks, to allow an addition to a single-family home within the minimum yard setback; for property in the RAA zone located at 40 Walnut Grove Road.

DATES OF HEARING: February 3, 2025  
DATE OF DECISION: February 3, 2025

VOTED: To Grant, a variance of Section 3.5.H., setbacks, to allow an addition to a single-family home within the minimum yard setback; for property in the RAA zone located at 40 Walnut Grove Road.

VOTE: To Grant: 5 To Deny: 0

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

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 lot is undersized for its zone and the position of the house on the odd shaped lot creates hardship. These factors, along with the topography and presence of ledge on the property, justifies the granting of a variance in this case..
- 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.

**Jonathan Kost, agent for Joseph Kroetsch and Kristin Uscinski**  
**Application 25-003**  
**15 Hidden Lake Court**

REQUESTED: a variance of Section 8.1.4, nonconforming conditions, to allow an addition to a nonconforming structure; for property in the RAA zone located at 15 Hidden Lake Court.

DATES OF HEARING: February 3, 2025  
DATE OF DECISION: February 3, 2025

VOTED: To Grant, a variance of Section 8.1.4, nonconforming conditions, to allow an addition to a nonconforming structure; for property in the RAA zone located at 15 Hidden Lake Court.

VOTE: To Grant: 5 To Deny: 0

In favor Deny  
Bearden-Rettger, Byrnes, Cole,  
Pastore, Seavy,

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 location of the building on the undersized lot, along with the steep topography on the property, creates hardships that justifies the granting of a variance in this case.
- 2. It is noted that the approved plans do not increase the nonconformity of the property.

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