

ZONING BOARD OF APPEALS
(203) 797-4525
(203) 797-4586 (FAX)
DRAFT MINUTES – REGULAR MEETING
January 12, 2012
COMMON COUNCIL CHAMBERS
7:00 PM

Chairman Richard S. Jowdy called the meeting to order at 7:04 pm. Present were Chairman Jowdy, Michael Sibbitt, Joseph Hanna, Rodney Moore. Absent were Alt. Rick Roos, Herbert Krate. Staff present were Sean P. Hearty, Zoning Enforcement Officer, Patricia Lee, Secretary. Jowdy discussed the issue of having a four-man board and instructed the public on how to present their application, and any opposition.

NOTE: Distribution of 2012 meetings schedule.

CONTINUATION OF PUBLIC HEARINGS: None

NEW BUSINESS:

12-01 – Jose G. Dutra, 11 Parkwood Terrace Drive (K05165), Sec.4.A.3., to reduce side yard setback from 15 feet to 10 feet for residential additions (RA-20 Zone). Jowdy introduced this item and Mr. Dutra came forward and signed in. You're Jose? Tell us what you're doing, Jowdy said. Jose and Jowdy discussed the distances, and Jowdy asked him to go ahead. Dutra has a one-car garage, and the two children at home, and they both drive. They are going to stay at home, so this will be the garage and a living room on top of it. Jowdy said you are conforming at the back end. Hanna said nonconforming in the front. It's for additional living space, Jowdy asked? How far away is the house next door? 35 to 40 feet away, Dutra replied. Jowdy asked any questions from the Board? Hanna asked about the overhang. Dutra said this includes the overhang. Is there anyone who wishes to speak for or in opposition to this proposal? John Pudelko, the next door neighbor at 9 Parkwood Terrace Drive, signed in at 7:09 pm. I'm the next door neighbor. When he first told me he wanted to do it, I had no problem with it. I am disappointed that he did not tell me the first time around that he wanted to make the whole house bigger. I guess it will be alright, Pudelko said. Moore asked him did you see a copy of the map? Jowdy and Pudelko reviewed the plan at the dais and discussed the telephone pole, and Jowdy said it must be per plan submitted. Okay, said Pudelko. Anyone else who wishes to speak for or in opposition to this proposal, Jowdy asked. Moore motioned to close the public hearing. Sibbitt seconded the motion. The motion carried unanimously. We have to close every petition, Jowdy explained. The first application discussed later in the voting session was #12-01. Jowdy reviewed the request at 7:40 pm, stating open for discussion and / or vote. Hanna made a motion to **approve** the Dutra request to reduce the side yard setback from 15 feet to 10 feet for residential additions, per plan submitted. There's no effect on public welfare, health and safety. Sibbitt seconded the motion. The motion carried unanimously.

12-02 – Maria H. Ocampo, 4 Wixted Avenue (K16092), Sec.4.A.3., to reduce side yard setback from 8 ft. to 5.2 ft.; to reduce front yard setback from 20 ft. to 3 ft. for res. additions (RA-8 Zone). Jowdy introduced this issue at 7:12 pm. The contractor, Frank Moore, signed in as the agent for his mother in law, Maria Ocampo. Your proposal is to come forward with the house. Moore came to the dais, and explained the small nature of the residence. She's 74 years old and cannot open the existing

cellar doors, and Jowdy explained how he understood the request. Moore said the one corner I am looking at; but it's minimal. Thank you very much. Motion to close the public hearing by Sibbitt. Hanna seconded the motion. The motion carried unanimously.

Jowdy introduced this Wixted Avenue proposal in the voting session: a very small two-story house. This was simply squaring off the building. We're not going out any further. Motion to **approve** by Moore to reduce the side yard setback from 8 ft. to 5.2 ft.; to reduce the front yard setback from 20 ft. to 3 ft. for residential additions. The current house already encroaches on that. There are no welfare, health and safety issues, and this is per plan submitted, Moore said. Second by Sibbitt. The motion carried unanimously.

12-03 – Portuguese Cultural Center, Inc., 65 Sandpit Road & Morgan Avenue (K11050, K11124, K11108, K11149); Sec. 9.C.2.a., Sec.9.C.2.b., to allow nonconforming use / structure to be extended or expanded (IL-40 Zone). Jowdy introduced this item at 7:15 pm, as Russell Posthauer, Jr. the engineer, came forward and signed in. It's in the IL-40 Zone; there is no such thing as the IL-80 Zone, Sean Hearty said. Posthauer explained the history of the building in the late '90's. That use has since been removed, so if they want to do anything, they have to come before this commission. Posthauer explained what they would like to expand: storage, tents in the parking lot once a year; they want a permanent pavilion with bathroom facilities. Jowdy remarked, so the health, welfare and safety of the community will be enhanced. Jowdy said thank you to Posthauer. Any questions from the Board? Is there anyone who wishes to speak for or in opposition to this variance request? Thomas Saadi, from 24 Tobins Court, identified himself at the mic as a member of the Portuguese Cultural Center. I just want to support this application since their roof was compromised in the snow last year, Saadi said. These additions, if allowed, will make things safer for the members and the public; overall a better community facility. Thank you. Jowdy asked again is there anyone who wishes to speak for or in opposition to this variance request? Motion to close the public hearing by Hanna. Second by Sibbitt. Motion carried unanimously. In the voting session later, Jowdy reintroduced this item. Hanna made a motion to **approve #12-03**, to allow a nonconforming use / structure to be extended or expanded per plan submitted. It is for the safety of members and public and their well-being, Hanna said. Sibbitt seconded the motion. The motion carried unanimously.

12-04 – Richard Rizzo, Agent, Plumtrees Plaza, Newtown Road & Plumtrees Road (L12018), Sec.8.E.3.a.(1), to increase total allowed wall sign face area from 42.67 sq.ft. to 52 sq.ft. on remodeled market façade (CG-20 Zone). Mr. Richard Rizzo signed in at 7:20 pm, stating he is representing the applicant National Sign Company. It's a relatively straight-forward sign application, an additional 9½ square feet. Aldi has put in their signature tower; what they are asking to do is to put all of their signage in the tower location. Unfortunately, the problem they have is, had they simply just put a coat of paint on the fascia, they could have had much more signage. We are proposing 52 sq.ft. of signage, Rizzo said, asking for a modest 9 square feet. Jowdy asked about the size. Rizzo made a couple of points. Rizzo said if it went on the fascia, we would not be here tonight. They are putting their signature towers now in all their locations. Moore said so this is for the Aldi sign. Rizzo added and of course the food market sign below. Jowdy asked about the projection, and if they put it on the wall. Are there any other questions? Is there anyone wishing to speak for or in opposition to this request? Motion to close the

public hearing by Moore. Second by Sibbitt. Motion carried unanimously. Jowdy introduced this item in the voting session at 7:45 pm. Moore made a motion to **approve #12-04** to increase the total allowed wall sign face area from 42.67 square feet to 52 square feet on remodeled market façade, per plan submitted. Moore said there is the potential for a much greater extensive sign, and it is the Aldo look. There are no welfare, health and safety issues, and this is per plan submitted, Moore said. Hanna seconded the motion. The motion carried unanimously.

12-05 – Jennifer L. Daley, 7 Green Avenue (G15175), Sec.4.A.3., to reduce minimum side yard setback from 8 ft. to 5 ft. for residential addition (RA-8 Zone). I am looking to do an addition of the side of my house, and I currently have a screened-in porch. The porch is pre-existing, in answer to Jowdy’s question. I will knock it down. I’m doing the same thing, but I am asking for 5 feet more; the building coverage from 15 to 18%. Hanna and Jowdy discussed the measurements. From 8 feet, correct to five feet, would be my setback. It will be used for an additional den. I only have one bathroom upstairs; I would like to put a small bathroom downstairs. Jowdy asked are there any more questions? Is there anyone who wishes to speak for or in opposition to this proposal, Jowdy asked. Motion to close the public hearing by Hanna. Second by Sibbitt. Motion carried unanimously. That’s the porch that was torn down, Jowdy said, later in the voting session. Hanna made a motion to **approve** to reduce minimum side yard setback from 8 ft. to 5 ft. for residential addition, only going out about 3 feet. This will not be a detriment to the welfare, health and safety of the community, and it’s per plan submitted. Sibbitt seconded the motion. The motion carried unanimously.

12-06 – Edward Moran (Agent), 129 Main St. (I14378), Sec.8.E.4.a.(2); Sec.8.E.4.a.(7),(a); Sec. 8.E.4.a.(1),(a), to allow letter height on “Family Store” wall sign to be 24 inches; to allow projecting sign within 50 ft. of a public right-of-way to exceed 18 inches in height and width, and be approx. 38 sq.ft.; to allow the total sign face area of all signs to exceed one and one-half square feet of sign face area for each foot of length of said exterior wall on which the sign is affixed (C-CBD Zone). Jowdy read the requests into the record. Will somebody explain this, Jowdy asked? Ed Moran came forward and said I am representing the Salvation Army and the owner, Mark Annunziato, who wants to refurbish the fascia of the building. One of the downtown committees recommended that he return the fascia back to the flavor of the art deco look. Moran explained how the text signs will come out about 16 inches. Moran gave the dimensions of the hanging logo sign, Salvation Army, will actually give the downtown a bit of an anchor. The front of the store is going to be really spectacular; the prominence that it had 50 years ago. It would be more in keeping with the original building. The most recent envisionment can be done as halo lit, which is an LED light inside, reflecting back on the light gray cement background. There are two ways to do this and they are both an even glow. Moran explained the perforations that will emit light at night; it would only be pretty much a warm glow. Jowdy said the one that you describe seems like the least offensive. This will not throw off a brilliant amount of light; you could not read by this light, Moran said. Jowdy and Moran discussed the light. CityCenter convinced them to do something way different from what they originally proposed. Moran explained the lighting to Rod Moore: dual core vinyl light through pin holes. Thank you, Moran said. Anyone in opposition or in favor of the application, Jowdy asked. Leigh Overland, Architect, came forward as Chairman of the Architectural Advisory

Committee, stating that we are trying to increase the aesthetic beauty of the downtown. We suggested that they redo the façade, so I am in favor of this approval, and it would be an asset to our downtown. Andrea Gartner, Executive Director of CityCenter, next took the microphone, saying we work very closely with the Architectural Advisory Committee and the permitting department. I feel very strongly about this. I was on the Ridgefield Historic District previously. It really is the cheapest form of economic development. The committee provided free professional advice, and the results have been tremendous. With this project, she explained the way it came about following some electrical work, which exposed some damage and rot, which revealed the old Sears & Roebuck sign, and I have to thank Sean (Hearty) publicly. The Architectural Advisory Committee sat down with CityCenter. We think it would have a great impact on the downtown, Gartner concluded. Is there anyone who wishes to speak for or in opposition to this variance request? Motion to close the public hearing by Rod Moore. Second by Hanna. The motion carried unanimously. That ends the new petitions for this evening, Jowdy said. In the voting session later, Jowdy said the Salvation Army Thrift Shop storefront would enhance the downtown area. Open for discussion and or vote. Moore made a motion to **approve** to allow letter height on "Family Store" wall sign to be 24 inches; to allow projecting sign within 50 ft. of a public right-of-way to exceed 18 inches in height and width, and be approx. 38 sq.ft.; to allow the total sign face area of all signs to exceed one and one-half square feet of sign face area for each foot of length of said exterior wall on which the sign is affixed, per plan submitted.. I would like to add a **stipulation**, Moore continued, to be that the signage, the letter signs and the sign below it, be like the reverse channel halo lit sign, and the dual core vinyl, per plan submitted. It is a wonderful opportunity to enhance the downtown; to bring back to the days of old, and I want to applaud the Salvation Army for going the extra mile to do this, Moore said. Sibbitt and Hanna seconded the motion. The motion carried unanimously at 7:50 pm. Moore said all the mean guys stayed home.

ACCEPTANCE OF MINUTES: November 10, 2011. Motion to accept these minutes as presented by Hanna. Second by Moore. Motion carried unanimously.

ADJOURNMENT:

Motion to adjourn by Rod Moore. Sibbitt seconded the motion. The motion carried unanimously at 7:52 pm. Moore said all the mean guys stayed home.

NOTE: THE NEXT REGULAR MEETING IS SCHEDULED FOR JANUARY 26, 2012.