

**Redding Zoning Commission
Public Hearing and Regular Meeting Minutes
November 8, 2023 – 7:30p.m.
Redding, Connecticut**

Present: Matthew Lecher, Chair; Amy L. Atamian, Secretary; Pamela Marsh; William H. Whitehead, Jr.; Alternates: Nicole Bricker.

Also Present: Aimee Pardee, Zoning Officer; Janet August, Recording Secretary; members of the public.

Chairman Lecher seated Nicole Bricker for William Miller.

PUBLIC HEARINGS

- 1. Application #23-09Z – 145 Old Redding Road (Assessor’s Map and Lot #27 -7) – 145 Old Redding Road LLC** – In accordance with Redding Zoning Regulations Section 5.12, request for a Special Use Permit for accessory residential apartment. Received September 13, 2023; Public Hearing October 11, 2023; Continuation of Public Hearing October 25, 2023; Continuation of Public Hearing November 8, 2023.

The public hearing was called to order at 7:30pm. Mr. Lecher states that this is a continuation of a public hearing from October 25th. Applicant Terri Lecamp and her agent, Rick Jaccarino, were present.

Mr. Lecher asked Mr. Jaccarino about the 1st and 2nd floor plans and square footage. (Note: floorplans and documents were submitted to the Commissions prior to this meeting). Mr. Jaccarino reviewed his square footage numbers for the house, stating the current square footage of the main house is 2,510 square feet. Finishing the attic in the future would add another 523 square feet. The apartment would be 980 square feet. Mr. Jaccarino discussed how he measured the areas regarding knee walls and ceiling heights and clarified for commissioners the numbers on the plan and locations. He notes that the future attic space is 60-70% complete but he would need to amend his permit to finish the attic area. Once finished the main house square footage would rise to 3,033 square feet.

Mr. Lecher asked about the attic area and permit. Mr. Jaccarino stated that he would have to amend the permit. He stated that the HVAC ductwork is in, electrical is 90% complete, insulation is in, windows and skylights are in, and he needs to amend the permit and give the building department a list of items needed to be completed. Mr. Jaccarino explained the

original plan (which he was not involved with) was a crawl space area, that did not allow for the head height needed for the access door. Ms. Lecamp noted that she does intend to finish the attic room when they get it permitted.

Ms. Atamian asked if the attic area was accessible from the main house, other than the stairway to the apartment. Mr. Jaccarino replied that there was not. Ms. Bricker asked if the stairway going up to the apartment is only accessible from the inside of the house. Mr. Jaccarino said yes, the stairway is located in the main house, 1st floor mud room and that it would share space with the main house. The landing at the top of the stairs has a door for the attic, and a door for the apartment. Ms. Atamian asked about an outside entrance to the apartment and how the apartment does not need the inside stairway. She states her concern that the apartment is oversized per the regulations, and that the apartment would be expanded into the attic space and make it a much bigger apartment. Ms. Atamian states her two concerns; first, that the attic, once finished, will be considered part of the main house with a main house total of 3,033 square feet and make the 980 square foot apartment over the regulatory limit of 30% of the main house square footage, and then her concern that the attic area would be attached to the apartment. She opines that this could be resolved by closing off the apartment from the stairway. Ms. Pardee notes that they have run into a problem with the building department with doing so. Ms. Pardee explained the need for additional fireproofing to do so, and that the building department would not allow the closing off a door in such a circumstance. Ms. Lecamp adds that the attic space was not a room that was planned, and the intention is to create additional storage for the people in the main house (her son and significant other), and an easier area for him to access.

Mr. Lecher asked Aimee Pardee to explain the fire issue raised by closing off the door, and what would be difficult in adding additional fire protection. Ms. Pardee stated that she is not a building official, but she believed in the size and thickness of the wall and fireproof materials. Ms. Pardee shared her recollection of other apartments with similar issues. Doug Macmillan opined on CT Building Code for two apartments in a building. Ms. Atamian again states her concern that the apartment as proposed is still over the 30% limit in the regulations. A discussion of how the measurements of the apartment were made was held.

Mr. Lecher asked if anyone had any additional information or questions. Hearing none, he asked commissioners for a motion to close the public hearing.

MOTION: Mr. Whitehead moved to close the public hearing. The motion was seconded by Ms. Atamian and the motion was carried unanimously. The public hearing was closed at 7:50pm.

2. Application #23-13Z – 15 Fox Run Road (Assessor’s Map and Lot #28-80) – Owner Bryan Moore & Nicole Cuccaro: Agent: Doug MacMillan, 18 Boulder Hill Road, Ridgefield, CT 06877 – In accordance with Redding Zoning Regulations Section 5-12 request for a Special Use Permit for accessory residential apartment. Received October 11, 2023: Public Hearing November 8, 2023.

Zoning Commission Chair Matt Lecher called the Public Hearing to order at 7:50p.

Aimee Pardee read aloud the Legal Notice of the Hearing. She noted that although the hearing is being done by ZOOM, she is present in town hall for the meeting.

MOTION: A motion to accept the notice was made by Ms. Atamian and seconded by Mr. Whitehead. The motion was approved unanimously.

Mr. Lecher recognized Douglas Macmillan, the architect, for the project. He explained that the detached dwelling unit is 900 square feet with a single car garage, with the property owner living in the main house. He states all criteria have been met. It is an in-law dwelling, The dwelling will not have a basement, and the stairs go to an unfinished attic area to be used for storage. The Health Department has approved a combined system, the dwelling meets all setbacks and conforms to coverage.

Ms. Atamian confirmed that a second driveway is not necessary. No other questions or comments at this time. Hearing none, Mr. Lecher asked for a motion to close this hearing.

MOTION: Ms. Atamian moved to close the public hearing. The motion was seconded by Ms. Marsh and the motion carried unanimously. The public hearing was closed at 7:54pm.

REGULAR MEETING

Present: Matthew Lecher, Chair; Amy L. Atamian, Secretary; Pamela Marsh; William H. Whitehead, Jr.; Alternates: Nicole Bricker.

Also Present: Aimee Pardee, Zoning Officer; Janet August, Recording Secretary; members of the public.

Call to Order: Chairman Lecher called the meeting to order at 7:54pm and seated alternate Nicole Bricker for William Miller.

1. Approval of Public Hearing and Regular Meeting Minutes of October 25, 2023.

Ms. Atamian noted that Brian Fletcher's name was misspelled in the minutes in Item 3. Mr. Lecher stated that he and Ms. Atamian were the only commissioner's present tonight who were also present at the October 25th meeting. Discussed the commission's ability to accept the minutes without a motion. Chairman Lecher asked Ms. Pardee to research the issue for the future.

Mr. Lecher accepted the minutes, with the one correction noted.

2. Application #23-09Z – 145 Old Redding Road (Assessor’s Map and Lot #27 -7) – 145 Old Redding Road LLC – In accordance with Redding Zoning Regulations Section 5.12, request for a Special Use Permit for accessory residential apartment. If public hearing is closed/discussion/action.

Mr. Lecher asks commissioners for comments. Ms. Atamian raises concerns that the apartment is over the 30% limit in square footage, and her concern that the attic space would become part of the apartment and would like to have a building department review of the door. Mr. Lecher is concerned with the interior access to the apartment. Discussion of interior access was held. Discussed the overage of square footage per regulation, and the square footage of the house and interior stairway. Commissioners are concerned with approving the application since it is in excess of the square footage limit, and since it would set a bad precedent. Mr. Lecher confirmed that the 30% square footage limit was not changed with the recent amendments to the regulations.

MOTION: Mr. Whitehead makes a motion to deny the application and Mr. Lecher seconds the motion. (No vote held on this motion as proposed).

Discussion: Ms. Atamian stated that she would clarify that the motion to deny is based on the fact that the apartment is larger than 30% of the main dwelling unit and there is access to an attic space that could be converted into an additional bedroom in the future. Ms. Bricker suggests adding that it is not separate from the main unit. A discussion of whether separation from the main dwelling unit is required. Mr. Lecher questions whether it is the commission’s jurisdiction to be discussing future intent. He further notes that the apartment being too big is enough; the crux of the matter is that the square footage exceeds the 30% limit in the regulation. He asks Mr. Whitehead if he desires to revise his motion.

MOTION REVISISED: Mr. Whitehead revised the motion to deny the application based on the square footage exceeding the 30% limit in the regulation. The motion carried unanimously.

3. Application #23-13Z – 15 Fox Run Road (Assessor’s Map and Lot #28-80) – Owner Bryan Moore & Nicole Cuccaro: Agent: Doug MacMillan, 18 Boulder Hill Road, Ridgefield, CT 06877 – In accordance with Redding Zoning Regulations Section 5-12 request for a Special Use Permit for accessory residential apartment. Received October 11, 2023: If Public Hearing is closed/discussion action.

Mr. Lecher states that the application meets all requirements.

MOTION: Ms. Atamian moved to approve the application. The motion was seconded by Mr. Whitehead, and the motion was carried unanimously.

4. Approval of Zoning Calendar Meeting Dates for 2024.

Mr. Lecher asked for comments on the proposed meeting dates for 2024, which were included in the package for this meeting. Proposed meeting dates are:

January	10	July	10
January	24	July	24
February	14	August	14
February	28		
March	13	September	11
March	27	September	25
April	10	October	9
April	24	October	23
May	8	November	13
May	22		
June	12	December	11
June	26		

The Zoning Commission meets on the second and fourth Wednesday of each month at 7:30 PM.

MOTION: Ms. Atamian moved to approve the 2024 meeting dates as proposed. The motion was seconded by Ms. Bricker and the motion was carried unanimously.

5. Discussion

Commissioners recognized that tonight was Ms. Marsh’s last Zoning meeting as a commissioner and thanked her for her work. Commissioners welcomed Nicole Bricker who was elected the day before to a permanent seat on this commission. Birthday wishes followed for Mr. Lecher and Ms. Marsh.

6. Communication

Nothing further.

7. Future Agenda Items:

Application #23-10Z – 34 Mountain Road (Assessor’s Map and Lot #41- 8) – Owner Ronald J. Desantis & Donna Marie Livolsi - In accordance with Redding Zoning Regulations Section 5.5.5, request for a Special Use Permit for earth moving in excess of 300 cubic yards of material. Received September 13, 2034: Public Hearing October: 11, 2023: Continuation of Public Hearing December 13, 2023

Application #23-14Z – 4 Fox Run Road (Assessor’s Map and Lot #28-34) – Owner Ryan Fletcher: Agent Donnelly, McNamara & Gustafson P.C. 150 Danbury Road, Ridgefield, CT 06877 – In accordance with Redding Zoning Regulations Section 4.2.3 (f) request for a Special Use Permit for a Temporary Museum on the premises for a period of one (1) month May 2024. Public Hearing Date December 13, 2023.

8. Adjournment

MOTION: On the motion of Ms. Marsh and the second of Mr. Whitehead, the commission voted unanimously to adjourn the meeting at 8:14pm.

Submitted by:
Janet August, Recording Secretary