

APPROVED / REVISED  
MINUTES  
PLANNING AND ZONING COMMISSION

March 30, 2010

Present: Michael Autuori  
Peter Chipouras  
Joseph Fossi  
Nelson Gelfman  
John Katz  
James McChesney  
Phil Mische  
Rebecca Mucchetti, Chairman  
Patrick Walsh, Vice Chair

Also Present: Betty Brosius, Director of Planning

At 7:30 p.m. Chairman Mucchetti called the meeting to order.

**PENDING ITEMS**

1. **#2009-016-POCD: PLAN OF CONSERVATION AND DEVELOPMENT**, Town of Ridgefield Workshop.

**Chairman Mucchetti** introduced Heidi Samokar of Planimetrics, consultant for the update to the Plan of Conservation and Development. Ms. Samokar stated that her goal was to acquire all edits from the Commission so that a final draft could be prepared. The Commission will make final decisions on any edits; the discussion outline she provided prior to the meeting included suggestions only. There is a strict timetable that needs to be followed in order to meet the goal of adopting the Plan in July, after a June 29<sup>th</sup> public hearing.

Chairman Mucchetti noted that there had been several letters and comments received from town and community agencies, individuals and officials, most of which were incorporated into the table of proposed edits prepared by Ms. Samokar following the public information meeting held on March 4<sup>th</sup>. Additional comments had been received from the Conservation Commission, the Planner and the Housing Authority, regarding public housing facilities.

The Chairman acknowledged that many of the interest groups – the disabled, “sustainability” supporters, affordable housing, etc. – want to have strong statements made in the Executive Summary and elsewhere in the Plan. Many changes have been made in response to comments received from these various groups, but in other cases (and especially in the summary sections) there is a need to make broad, general statements and not to list specific details.

Ms. Samokar also needs input from the Commission on filling out the implementation section, which will appear at the end of the document. Ms. Samokar went through her outline, page by page, referring to the POCD, chapter by chapter. The first two items were discussions for “over-all” comments.

Sustainability: The Commission wishes to leave the wording regarding sustainability as is.

Persons with Disabilities: There are many places in the Plan where reference has been made to persons with disabilities, and the need to improve accessibility to town facilities, provide for housing opportunities, improve transportation resources and infrastructure (sidewalks, etc.). Ms. Samokar pointed out a request to state that persons with disabilities often do not feel as if they are a part of the community. There was some deliberation over how many additional edits were needed, and whether or not it was appropriate to “call out” reference to persons with disabilities and seniors as needing special opportunities. Commissioners were in disagreement as to how many times and in how many places persons with disabilities should be mentioned. The Commission added wording in several places following considerable discussion, and left other sections as is.

Introduction / History of Planning: The Planner said she had re-written the introduction and Commissioner Mische made significant additional edits. The Planner added a few brief statements about demographics (population, land area) prior to the “History of Planning” paragraphs. There were some additional edits, and the Commission approved the proposed language with edits. A sidebar was suggested, to list additional studies of importance (Ridgefield Center Study, etc.).

Conditions and Trends: Mr. Katz debated the need to call out language for the disabled as a separate group. Ms. Samokar noted that policies to accommodate the disabled are often lumped together with policies for seniors, because the needs are often the same. The suggestions from Emma Benedict (of the Commission for the Disabled) were at first left out, but then were later incorporated as proposed by the consultant, for this section.

Community Issues: The suggestions of the consultant, to modify the lists for “Proud of” and “Sorry about” and “Threats” were incorporated as proposed. The Planner expressed strong opinion to mention the need for affordable housing for the disabled in addition to listing it as a need for seniors. The final consensus was to leave references to the disabled and affordability and accessibility of housing in several places in the Plan.

Community Character: The words “historic resources” were added in the sidebar on page 35, noting that they are an important part of community character. The possible need for a demolition delay ordinance is mentioned elsewhere.

Natural Resources: The photo showing a boat house at the edge of the lake will remain, and the sidebar about “buildable land” was left as shown on Page 46.

Open Space: The section about the Norwalk River Valley Trail was amended as suggested by the Planner and the consultant. It was agreed that the Sugar Hollow Greenway is part of the Norwalk River Valley Trail; one does not replace the other. Reference was made to promoting the enjoyment of open space for “all”. The suggestion to add language about the stewardship of open space was accepted. The consultant and the Planner will develop appropriate language.

Public Act 490 (tax benefits for open space preservation) was discussed at length. It is necessary to describe desirable open space areas in the Plan, and State statutes require that the Board of Selectmen also approve the map showing proposed open space lands, and the list of criteria for PA 490 eligibility. The State criteria allows the implementation of the tax benefit under PA 490 for agricultural or forestry land; Section 12-8 of the subdivision regulations lists criteria for other lands within the municipality that may be eligible. There was discussion about the criteria in relation to the Open Space map, and the fact that the current draft POCD omitted notation of “desirable open space” as shown in the 1999 Plan. The Planner pointed out that the IRS looks for parcels on a map, if a landowner seeks a tax benefit for donation of property as open space. It was ultimately decided that (1) the Commission should re-visit PA 490 and make sure that it is being implemented correctly, and (2) the Planner will work with information provided in the 1999 Plan as well as suggestions from the Conservation Commission to develop a new “desirable open space” map.

Two large Open Space Easements (one under the Land Conservancy and the other – Brewster Farm – with development rights sold to the State) were added to the map. The Conservation Commission also asked that municipal properties be shown as something other than white. Ms. Samokar pointed out that the Future Land Use map is a compilation of all the maps together, and coloring the area for municipal facilities on the open space map may be confusing. There was no change made for municipal lands on the open space map.

The location of the Sugar Hollow Greenway will be made more obvious.

Historical and Cultural Resources: Several suggestions were incorporated as recommended by the President of the Historical Society. The Village District was added as an important method to protect historical resources.

Community Structure: The consultant’s suggestions were implemented as recommended.

Housing and Residential Areas: The Commission decided against adding numeric goals for affordable housing. The Plan, in general, makes broad, general statements and does not list specific numeric goals. The Commission added reference to the need to provide housing for “people with disabilities.” The suggestion to refer to Universal design was not implemented.

Business Development: The need to work with the EDC on a Route 7 subcommittee appears in the implementation schedule. The reference to accessibility in the downtown area is mentioned already in other places; it was not added again to the Business section.

Community Services and Facilities: A bullet was added, to say that the Town should continue to offer activities and provide programs for families and children, and to encourage others (such as the Boys and Girls Club) to do the same.

Transportation: Although mentioning electric cars is an interesting idea, it was decided that stations are already allowed under current zoning, and it is difficult to predict (through specific planning statements) where they should be located. Some felt that “free enterprise” would dictate the implementation. The need to support the mobility of all residents, including those who don’t own cars, was suggested in language by the consultant. Dr. Gelfman did not agree that this needs to be mentioned. The Commission agreed to a shortened version of the change, suggested by Mr. Katz.

Utilities: There were no changes to this section.

The paragraphs suggested for inclusion on public housing were not added; it was felt that the comments are covered elsewhere in the Plan.

Future Land Use Plan: There was agreement that “business” zones should be re-named as “commercial” zones on the map, and in the text on page 126. The desired open space and managed open space on previous maps would show as green open space areas on the Future Land Use Plan.

Implementation: The Planner will work on the implementation schedule with the consultant, and a draft will be reviewed at the 4/6/10 meeting of the Commission. The agencies for each task need to be labeled as “Prime” and “Continuing.” In some cases, it may be prudent to include a time-frame for implementation. Dr. Autuori suggested using the 1999 Plan as a guideline.

**Ms. Samokar** handed out an outline of events going forward, and suggested dates for a public hearing on the Plan (June 29<sup>th</sup>), with a need to forward the completed Plan to the Board of Selectmen for review and comment at least 65 days prior to the public hearing. The Board of Selectmen may hold a public hearing on the Plan, and if the Board rejects that Plan or any part of the plan, the Commission may only adopt it by a super-majority vote. There may need to be a reason to talk to counsel if the Board’s comments are not clearly understood as “rejection” or simply “comment.”

The Plan must also be referred to the regional planning agency (HVCEO), prior to the hearing, and the Plan must be posted on the Town’s website at least 35 days prior to the hearing, and filed with the Town Clerk. The Commission agreed by consensus to the proposed outline, including the goal for public hearing on June 29<sup>th</sup>, which will require filing with the Board of Selectmen by April 26<sup>th</sup> (65 days prior to the public hearing).

**Mr. McChesney** suggests renumbering pages for each of the Chapters, similar to the Zoning Regulations. That can be done for the final plan.

**Chairman Mucchetti** asked about the Board of Selectmen’s public hearing (if one is held) and whether a vote is taken by the general public. The answer is that the Board

of Selectmen may take input at a public hearing, but they will vote on the Plan themselves and refer comments to the Planning and Zoning Commission. There is no Town Meeting. The Board needs to accept or reject the Plan, and they will need to understand the required timeline.

**Mr. Walsh** referred to the implementation table and asked about the wording “preserve a minimum of 30% open space” and asked why the table and such statements, which seem like mandates, are needed. The Planner said that the table serves to remind various agencies of their responsibilities for implementation. As for the 30%, it was identified as a “goal” and not a mandate, and the section remained unchanged.

**Mr. Katz** spoke to Ms. Samokar, prior to her leaving the meeting, to state that she has done a wonderful job with the Plan update, despite having to deal with difficult people and conflicting opinions all along the way. He offered sincere and strong compliments, and said that he has heard favorable comments from others as well.

#### **NEW ITEMS**

There were no new items.

#### **COMMISSION WALKS**

The Commission noted site walks scheduled previously for **April 11, 2010:**

- **#2010-029-REV(SP):** Revision **900 Ridgebury Road**, Boehringer Ingelheim Pharmaceuticals, Inc.
- **#2010-032-SP:** Special Permit **Gino’s Way, Lot 5**, Sturges Brothers, Inc.

#### **REQUESTS FOR BOND RELEASES/REDUCTION**

There were no requests for bond release or reduction.

#### **CORRESPONDENCE**

**Chairman Mucchetti** pointed out the following correspondence:

- Memo from Wetlands Inspector/Agent Aimee Pardee, re clean-up on the Rail Trail and the success of the “vac” system for removing material from the wetlands
- Letter from new CACIWC Board member, re proposed State legislation (wetlands)
- Memo dated 3/30/10 from Planner re Route 7 Corridor Study focus group meetings for the Route 7/35 area and Branchville/Georgetown
- Adopted new Aquifer Protection Regulations were distributed
- Letter dated 3/30/10 from AMD Homes re 20 Peaceable Street wetlands permit

Hearing no further discussion, the Chairman adjourned the meeting at

Respectfully submitted,

Betty Brosius  
Director of Planning