

APPROVED / REVISED
MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION

April 24, 2007

Present: Michael Autuori
Joseph Fossi
Nelson Gelfman
John Katz, Vice Chair
James McChesney
Rebecca Mucchetti, Chairman
Walter Slavin
Patrick Walsh
Lillian Willis

Also Present: Betty Brosius, Director of Planning
Rudy Marconi, First Selectman
Thomas Beecher, Esq., Land Use Counsel

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

ITEMS

1. **Executive Session with Land Use Counsel:** Eureka V LLC vs. the Planning and Zoning Commission of the Town of Ridgefield.

Chairman Mucchetti asked for a motion and second to go into Executive Session, to discuss pending litigation, filed against the Planning and Zoning Commission by Eureka V, LLC.

Mr. Fossi motioned, seconded by Mr. Walsh, to enter into Executive Session with Land Use Counsel, with the Planner to remain. Mr. Marconi was present as an ex-officio member of the Commission in his position as First Selectman.

At 9 p.m., **Mr. Walsh** made a motion to adjourn the Executive Session, seconded by Dr. Autuori. The vote was 9-0 to adjourn.

There were no votes and no action taken by the Commission during the Executive Session.

Attorney Beecher and First Selectman Marconi left the meeting at the conclusion of the Executive Session.

2. **Discussion: Village District Consultant and the Architectural Advisory Committee**, c/o Chairman and Planner.

Chairman Mucchetti noted that this was a continuation of the discussion started at the meeting on 4/17/07, where the Commission agreed by consensus to appoint the Architectural Advisory Committee (AAC) as the Village District Consultant (VDC) for a period from May 1 through July 31, at which time a decision would be made about designation of the VDC for the future.

The Planner explained that since the Village District Consultant is a group appointed by the Commission (whereas the AAC is appointed by the Board of Selectmen), the VDC should represent the wishes of the Commission in the protection of the character of the downtown business area (the CBD zone). The Commission should convey its expectations to the VDC, and should understand the VDC's methods and criteria for review of applications under the Village District regulations.

Mr. Walsh said he thought it was important for the VDC to preserve the "streetscape" of the Village District, and to maintain the village character. They should avoid anything that promotes the strip-mall effect.

Mr. Katz agreed, but also pointed out that it may not always be desirable to preserve or reconstruct a building demolished by fire or other means if it would not improve the streetscape. For example, the Bissell's building is designed to replicate the old building and it will be very attractive, but another building on the street (such as the Finch building) may not be as attractive. Compatibility with the Village District is key. Re-creation of the old, original structure may not always be appropriate.

Mr. McChesney felt that it was important to get the perspective of the AAC, and a joint discussion of the PZC and the AAC (VDC) would be beneficial. The AAC may have an excellent idea of its role and function, but they also need to know when compromise is needed. It is important to have a joint meeting to convey the wishes of the PZC to the AAC, and to understand the AAC's position and opinions.

Chairman Mucchetti said the Commission needs to explain the parameters of review to the AAC. For example, the state statutes do not support requirements for black and white signs, and legally the Town cannot prevent the use of corporate logos. The AAC sometimes seems frustrated that their opinions are only advisory, and sees its role as carrying out a "peer review." Sometimes the AAC's opinions are strong, and they leave applicants frustrated and confused. The AAC may be seen as over-reacting, and its opinions are dismissed. On the other hand, the AAC has provided excellent advice in its review of applications like Toll Brothers and the housing to be built on the Red Lion site, where the design was significantly improved because of AAC input.

There is also a concern that at least one of the AAC members is also on the Historic District Commission, and now will also be on the VDC. A member should not be wearing "too many hats."

Mr. Fossi would like to bring the AAC to a PZC meeting, to “set some ground rules” and to have dialogue.

Dr. Autuori asked about the regulatory powers of the AAC in its role as VDC. The Planner explained the process for the Village District review, and that the VDC is still an advisory review. The difference is that the application also comes to the Planning and Zoning Commission, and the PZC turns the VDC recommendations into “conditions” as it deems appropriate. The decision of the Commission must be filed on the land records and it is binding on the applicant.

Chairman Mucchetti says that a joint meeting with the AAC should be a positive discussion geared toward advancing the goals and objectives of the Village District.

Mr. Katz notes that the AAC may prove to be an excellent agency for long-term appointment as the VDC, and the interim period should help the Commission to make its decision. But he also sees the advantage of having one or two members as the VDC, so that applicants are not frustrated and confused with varying and diverse opinions.

Mr. McChesney felt that a one-member VDC may not be enough. The applicant needs to know that there is more than one person behind the opinion and recommendations that result from the review.

By consensus, it was decided that the Planner should notify the AAC of its interim appointment as the VDC for the period from May 1 through July 31, and invite them to attend a PZC meeting for joint discussion. May 8th was selected as a likely date.

Hearing no further discussion, the Chairman adjourned the meeting at 9:25 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning