

APPROVED / REVISED
SPECIAL MEETING MINUTES
PLANNING AND ZONING COMMISSION

October 31, 2006

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

Absent: Patrick Walsh

Also Present: Betty Brosius, Director of Planning
Richard Baldelli, Zoning Enforcement Officer

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

PENDING ITEMS

Special Meeting: Work session on Proposed Revisions to the Zoning Regulations, with planning consultant Glenn Chalder of Planimetrics, LLC.

Chairman Mucchetti opened the work session and referenced the Planner's summary of comments and questions from the public on the proposed regulations. The Planner explained that the summary included questions taken from letters to the Commission as well as points that were raised at the informational public meeting held in September. The Chairman emphasized that she would like to see the draft document brought to a public hearing as quickly as possible.

Richard Baldelli, Zoning Enforcement Officer, asked the Commission to carefully consider the regulations that they propose and ultimately adopt, and that they are comfortable with those regulations and their effect before adoption. The staff, as employees of the Town and under the direction of the Commission, needs to know that the Commission will support the enforcement of the regulations once they are adopted.

There was some discussion about allowing leniency in the enforcement of regulations, and the problems that would be caused for staff members who need to be fair and consistent with all members of the public and the business community. The Planner emphasized that elected officials and those who are in positions of authority over staff members need to be supportive of staff when regulations are enforced. Echoing and supporting Mr. Baldelli's remarks, she agreed that if the Commission does not agree with the enforcement of certain regulations, then they need to change those laws.

Chairman Mucchetti then asked consultant Glenn Chalder for his summary on progress made to date, and for his thoughts on how the process can be wrapped up and a document produced for a public hearing. She noted that there was opportunity for the Commission during regular meetings in the month of November to continue discussions on some of the issues without taking up the time of the consultant, and that some of those could be resolved prior to the next work session at the end of November.

Mr. Chalder agreed, but emphasized that he still needed to provide the Commission with some options to improve the proposals for calculating lot coverage, floor area, and building height. He mentioned meetings held with ZEO Richard Baldelli, the Planner, and architect Jeff Mose where these issues were discussed. There are several options to consider and no easy solution, as has been noted by other towns like New Canaan where they are still making adjustments to their regulations. In particular, there is an issue about building height related to grading and filling; in some towns the property owner will excavate or bring in large quantities of fill in order to circumvent regulations pertaining to building height. There is still a need to make some adjustment in Ridgefield's proposed regulations to address these issues. With some input from the Commission at the October meeting, he will continue to work on proposals that can be discussed at the November work session.

Mr. Chalder pointed out that the main objective was to re-organize the existing regulations, to make them more user-friendly, to clean up inconsistencies and to group the regulations into sections and categories that is logical. Dr. Autuori mentioned the issues of re-instituting the regulation about the exclusion of wetlands and steep slopes from calculation of lot area, and Mr. Chalder said that this could be accommodated immediately after the adoption of the re-organized regulations, if the issue was too complex to resolve in the current process. There will be other issues that can be "tweaked" and added following adoption of the adopted, reorganized regulations. He emphasized again that, like New Canaan, the Commission may find it necessary to make additional changes to regulations for floor area, lot coverage, etc. after the laws have been in use and when "loopholes" may be discovered.

Mr. Chalder also noted that the Zoning Map needs to be updated to reflect changes that will be made at the time of the adoption of the regulations. He also explained the changes that are taking place at the federal level regarding Flood Plain management, and that the section in the zoning regulations may eventually need to be removed and implemented as a separate ordinance, administered by the Planning and Zoning Commission. As a result of Hurricane Katrina and other natural disasters, the federal government is making sweeping changes to the flood plain management, issuing new flood maps and mandating that local communities manage development in flood plains more aggressively.

The Commission spent several minutes talking with consultant Chalder about the proposed changes to methods for calculating Floor Area. There is still some disagreement about whether or not accessory structures should be counted in the FAR (floor area ratio) calculation, and about what exemptions might be granted for open porches, small sheds, and historic barns. If more structures are to be counted for FAR, then the allowed

percentages in some of the zones, especially the smaller-lot zones, would have to be adjusted upward.

Mr. Chalder distributed a hand-out with some options for the Commission to consider regarding FAR, lot coverage, calculation of grade for building height, and setbacks. The Planner suggested sending these suggestions to some of the surveyors, architects and attorneys who had commented on this subject, to solicit additional input from those who would be using the regulations. Mr. Fossi emphasized the need to have grading plans submitted with applications for new construction, and said the practice was typical in other communities, like New Canaan and Darien. The Planner will seek examples of regulations and requirements from those towns.

Chairman Mucchetti summarized the plan for November, repeating that work sessions of the Commission without the consultant will be planned for the end each of the regular meetings in November, and that another work session with the consultant would be held at the end of the month.

The work session was adjourned at 9:40 p.m.

Respectfully submitted,

Betty Brosius
Director of Planning