

PUBLIC HEARING & BOARD of SELECTMEN MEETING – JULY 25, 2007

TOWN HALL/LARGE CONFERENCE ROOM – 7:30 P.M.
REVISED/APPROVED MINUTES

These minutes are a general summary of the meeting and are not intended to be a verbatim transcription.

In attendance: R. Marconi, A. Bodner, B. Manners, D. Masters, J. Plock

Public Hearing

*Notice is hereby given that a **Public Hearing** will be held on July 25, 2007, 7:30 P.M. Town Hall Large Conference Room, 400 Main Street, Ridgefield, Connecticut to discuss the proposed amendment to Chapter 4 ½ of the Ridgefield Code of Ordinances by the addition of the new Article III “Fees for Inspections and Plan Review.”*

Special Town Meeting (immediately following the Public Hearing)
Minutes under separate cover

Board of Selectmen Meeting Agenda
(immediately following the Special Town Meeting)

1. Sunrise Cottage 2007 Tax Abatement: Al Garzi
2. 8024 for Easement at Prospect Street OHS Property
3. Approval of Tax Refunds: Jane Berendsen-Hill
4. Discussion of Retail Space on Main Street
5. Selectman’s Report
6. Approval of Meeting Minutes: 7/11/07
7. Possible Executive Session:
 - 217, 221, 233, 249 Danbury Road
 - Police Chief Contract

R. Marconi called the Public Hearing to order at 7:30 p.m. Fire Chief Burford was present to answer any questions relative to the proposed amendment to Chapter 4 ½ of the Ridgefield Code of Ordinances by the addition of the new Article III “Fees for Inspections and Plan Review”.

R. Marconi indicated that he had received a call from John Hardeman of Boehringer Ingelheim stating that they were concerned about the size of their construction projects and the proposed levying of substantial new inspection fees. A discussion followed regarding the possibility of ensuring that the BOS would have the power to cap inspection fees after a certain amount if they so desire. Chief Burford indicated that she well understands how the Board of Selectmen may well desire to recognize Boehringer Ingelheim’s request for a capping of the inspection fees, but she stressed how the Fire Marshall is spending a great deal of time on the Boehringer Ingelheim projects. A. Bodner asked Chief Burford if she feels that Mr. Hardeman has a better understanding of what is involved with the various plan reviews and inspections now that this matter has been discussed? She indicated that she feels that is true.

D. Masters stated that in some communities, the municipality would not provide someone to do the inspections and plan reviews and thus a company such as Boehringer Ingelheim would have to hire an outside consultant to provide this service. Chief Burford replied that this could be the situation elsewhere.

Some fire departments hire an outside consultant to do the plan reviews and inspections. Ridgefield provides this service thru the office of the Fire Marshall.

J. Plock stated that this change in the fee structure for plan reviews and inspections is being changed after Boehringer Ingelheim started their projects; we are changing the rules mid-stream. D. Masters indicated that she proposes finding a compromise here. Boehringer Ingelheim could opt out and hire a consultant to provide this service. B. Manners indicated that she is in agreement that the BOS needs to have the ability to modify the fee structure. R. Marconi read Item #31 which seems to provide for the BOS to modify the fee structure if they feel they need to do so, "*The Board of Selectmen is hereby authorized to modify the fees set forth in Sections 29 and 30, from time to time, with the concurrence of the Fire Chief and Fire Marshal, without the need to formally amend this Ordinance.*".

R. Marconi closed the Public Hearing at 7:40 p.m., which was then followed by the Special Town Meeting (Minutes under separate cover). R. Marconi called the Board of Selectmen Meeting to order at 7:55 p.m.

1. Sunrise Cottage 2007 Tax Abatement: Al Garzi

Mr. Garzi, Tax Assessor, came forward to discuss the May 25, 2007, letter received from Ridgefield Sunrise Cottage, Inc., seeking a tax abatement for Real Property Taxes for their group home located at 5 Sunset Lane.

B. Manners moved and D. Masters seconded a motion to approve the requested tax abatement in the amount of \$6,008.60 for real property located at 5 Sunset Lane owned by Ridgefield Sunrise Cottage, Inc. for the 2007/2008 Fiscal Year. Motion passed 5-0.

R. Marconi asked Mr. Garzi if it would be possible to have a second tax abatement if there was to be a second facility like Sunrise Cottage? Mr. Garzi replied that it would depend on how the facility is structured. If it is a separate entity from the present Sunrise Cottage, the new facility would then apply on their own. R. Marconi expressed the possibility for the house at 28 Catoonah Street to become a second Sunrise Cottage. "This is a thought; something to discuss in the future". The house would have to be sublet from the Postal Service. Ms. Walker is retiring. The Postal Service is hiring one clerk and is requesting another clerk as well, per Mr. Marconi's conversations with Mr. Jim Weed and Mr. Jim Hickey. Leaving the house intact, there would still be space for 20-30 parking spots.

2. 8-24 for Easement at Prospect Street OHS Property

The telephone company is requesting an easement to install a telephone equipment cabinet at the Prospect Street OHS property by the street; a request is being made to locate the cabinet behind the stone wall.

J. Plock moved and B. Manners seconded a motion to request that the First Selectman R. Marconi send to Planning & Zoning a request for an 8-24 relative to an easement at the Prospect Street OHS Property for a remote telephone equipment terminal. Motion passed 5-0.

3. Approval of Tax Refunds: Jane Berendsen-Hill

Ms. Berendsen-Hill was not present but had sent a memo dated 7/20/07 listing current certified refund applications requiring approval of the BOS.

J. Plock moved and D. Masters seconded a motion to approve the list of refunds totaling \$11,770.41 as requested by Jane Berendsen-Hill, Tax Collector in her memo dated 7/20/07. Motion passed 5-0.

4. Discussion of Retail Space on Main Street

A real estate company from Westport is moving into the space on Main Street recently vacated by an antiques business. Emails have been received asking the BOS to do what they can to try and protect first floor retail space for retail. D. Masters raised the question as to whether there is a way to persuade landlords to favor retail renters voluntarily? This issue has been discussed previously with the Chamber of Commerce. Another consideration is does retail contribute more to the parking dilemma than other types of business establishments?

B. Manners stressed the need for more shops to generate foot traffic. R. Marconi read the January 9, 2004 letter which was sent to Planning & Zoning regarding this very subject and asking for a review of the Zoning Board code. New Canaan has legislated a code encouraging first floor retail space in their main shopping area. D. Masters described the Public Hearing sponsored by Planning & Zoning on this subject – only three people showed up. There are those who feel strongly about this issue but they did not come to talk about it. B. Manners responded that Planning & Zoning has knowledge of the business acumen in the town and should assess it and decide if such a ruling would be a wise decision.

Andy Bodner indicated that his bias is for the market to decide what businesses come into vacant space. We should not try to artificially change this. If retail stores are not succeeding, then we need to look at why this is happening. B. Manners replied that New Canaan has such a regulation and they have a thriving downtown. R. Marconi indicated that he will send a letter to Planning & Zoning similar to the one previously sent in 2004, and will check with New Canaan about the details of their regulation.

John Katz, Ridgebury Rd., asked if there is any data showing how New Canaan's regulation is helpful? Do we want vacancies in the interim waiting for retail renters to come forward? J. Plock stated how it is all about dollars; certain businesses will pay higher rents.

Ed Tyrrell, Pond Rd., asked whether retail or commercial benefits the Town more – which pays the most in real estate tax?

B. Manners responded that the issue is about quality of life – both residents and those from elsewhere come to the town center to shop. We do not want this to be a bedroom community.

Suzanne of Shoe La La on Bailey Ave., indicated that Main Street is the front door of Ridgefield. People move to Ridgefield because they like the Main Street and the town center. The activity and energy of the downtown area make Ridgefield a destination.

Sarah, another store manager, commented on how the retail establishments give back to the community; they are constantly donating to some cause or organization.

Paul Gervais, Lewis Dr., stated that he is a real estate agent with Caldwell Banker and also recently opened an art supply retail store on Route 7. He moved here in 1987 and he feels the façade of Main St. has changed so much since that time. Real estate firms and banks can pay the higher rents, but commercial businesses can also occupy second floor space. Viewing someone

working at a desk does not lend itself to foot traffic. He would favor zoning similar to that in New Canaan.

Betsy of Shoe La La stated that is something is not done now, then it will be all the more difficult for the stores that are left to remain in business. Those retail locations on the side streets cannot afford Main Street, but need the Main Street traffic to support their business.

Katra of Parker East Dry Goods, indicated that she grew up in Ridgefield and has been in business on Main St. for about ten years. She remembers when Ridgefield had a lot of shops and a lot of foot traffic. She has “stuck it out”. She did look in New Canaan with the thought of locating her business there and rents were not that bad. She would like Ridgefield to become a strong advocate for more retail businesses in the downtown area. Her business donates to the schools, teams, fire department, the Playhouse, etc. – she never turns a request down.

5. Selectman’s Report

- The Board of Finance has approved the BOS’s request for a donation of \$50,000 to the Boy’s & Girl’s Club, but has elected to take \$40,000 out of the Contingency Fund and \$10,000 from the Capital Reserve fund. This is a concern as the new fiscal year has just begun and the BOS feels that it is not desirable so early in the year to run down the Contingency Fund. **B. Manners moved and D. Masters seconded a motion to send back to the Board of Finance for reconsideration the BOF’s approval of \$40,000 from the Contingency Fund and \$10,000 from the Capital Reserve Fund as a contribution to the Boy’s & Girl’s Club renovation/construction project. Instead, the \$50,000 should come in total from the Capital Reserve Fund. Motion passed 5-0.**
- A petition has been received from the neighbors of 28 Catoonah Street indicating their concern about the proposed expansion of asphalt and the possible razing of the house.
- Main Street traffic improvements were to be discussed at the Police Commission meeting on September 13. There is a Jewish holiday conflict with this date. The State Department of Transportation was to do a presentation at this meeting. The meeting date will probably be changed.
- R. Marconi did speak with the owner of the Bissell property, who indicated that his insurance coverage included a “change in conditions” clause which pays 50% for code changes, such as for sprinklers. Once he receives the settlement check from the insurance company, the “rebuilding can begin”.

6. Approval of Meeting Minutes: 7/11/07

J. Plock moved and B. Manners seconded a motion to approve as amended the minutes of the July 11, 2007 Board of Selectmen Meeting. Motion passed 5-0.

7. Executive Session

B. Manners moved and J. Plock seconded a motion to recess the Board of Selectmen Meeting at 8:45 p.m. and go into Executive Session to discuss 217, 221, 233, and 249 Danbury Road

and the Police Chief Contract with Laurie Scholl, Director of Human Resources invited to attend. Motion passed 5-0.

The Executive Session ended at 9:06 p.m. A. Bodner moved and J. Plock seconded a motion to adjourn the Board of Selectmen Meeting at 9:07 p.m. Motion passed 5-0.

Respectfully submitted,

Janet L. Johnson