

**PLANNING AND ZONING COMMISSION
MINUTES
EXECUTIVE SESSION/GENERAL MEETING
October 20, 2010**

Place: Room B-3, Town Hall

TIME: 8:00 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:
Conze, Spain, Cameron, Hutchison, Voigt, and Riccardo

STAFF ATTENDING: Ginsberg, Jacobson

RECORDER: None

Mr. Conze moved the General Meeting items until later in the agenda to accommodate the Environmental Protection Commission and Town Counsel. He then read the first Executive Session agenda item:

EXECUTIVE SESSION

Executive Session with the Darien Environmental Protection Commission.

Executive Session to discuss pending litigation.

It was moved by Mr. Spain, and seconded by Mrs. Riccardo to go into Executive Session to discuss pending litigation with Town Counsel Wayne Fox and John Louizos and the Environmental Protection Commission (EPC). During that Executive Session no actions or votes were taken. The Executive Session with the EPC was adjourned at 9:21 p.m., and which time, EPC members and Mr. Jacobson left the meeting.

Executive Session.

Executive Session to discuss pending litigation.

It was moved by Mrs. Riccardo and seconded by Mr. Hutchison to go into Executive Session to discuss pending litigation with Town Counsel. During that Executive Session no actions or votes were taken.

At about 9:50 p.m., the Commission then adjourned the Executive Session, and Town Counsel left the meeting.

GENERAL MEETING

Chairman Conze read the general meeting agenda items:

Mandatory Referral #2-2010. Board of Selectmen, 2 Renshaw Road.

Proposal to convert the Board of Education office and storage space to a Senior/Community Center.

Mandatory Referral #3-2010. Board of Selectmen, 35 Leroy Avenue.

Proposal to convert the former Darien Library building at 35 Leroy Avenue to the Board of Education offices and other possible uses including office space for municipal functions and/or program space for the Darien Arts Center.

PLANNING AND ZONING COMMISSION
MINUTES
EXECUTIVE SESSION/GENERAL MEETING
OCTOBER 20, 2010
PAGE 2

Mrs. Riccardo distributed a four page memo regarding Mandatory Referrals #2-2010 and #3-2010 with her comments. She believed that the proposals are not consistent with the 2006 Town Plan of Conservation & Development (the "Town Plan"). The Town Plan specifically states that the Town should construct a new Senior Center. The move of the Senior Center to Town Hall would not be new construction. Mr. Conze believed that this was a parsing of words. Mr. Ginsberg mentioned that on page 7-2 of the Town Plan, it references "establishing a permanent alternative site" for the Senior Center. Mr. Conze explained that the Town Plan takes an "aerial view". Mr. Voigt questioned whether the Town Hall space needs have been reviewed.

Mr. Spain believed that the use of the word "construct" is not the important word. The overall policy is for a new Senior Center. Mr. Hutchison agreed that existing conditions dictate a new Senior Center. Mrs. Riccardo noted that the Town Plan did not envision or contemplate the requested "shuffle". Mr. Spain said that there are two separate questions: 1) moving the Board of Education and other uses to 35 Leroy Avenue; and 2) moving the Senior Center to 2 Renshaw Road. Mr. Hutchison noted that on page 7-2 of the Town Plan, it refers to "upgrading or renovating existing building". Mr. Spain believed that an improved Senior Center is needed and envisioned in the Town Plan at an appropriate location. Mr. Conze said that the Town Plan was written by the Planning and Zoning Commission and is meant to be conceptual. One way to look at the pending proposals is whether they are inconsistent with the Town Plan. Mr. Voigt noted that the Town Plan is loosely drafted in some areas, and specific in other areas. Mr. Spain stated that it is not necessary to have every possible use of 35 Leroy Avenue listed in the Town Plan. Mr. Conze believed that moving the Board of Education offices was not inconsistent with the Town Plan. Mr. Voigt replied that moving the Board of Education could foreclose other uses envisioned in the Town Plan.

Mr. Hutchison mentioned that the existing Senior Center is in need of repair/replacement. Mrs. Riccardo suggested amending the Town Plan to be clearer on the entire issue. Mr. Ginsberg explained the time constraints for issuing a report under CGS 8-24, which would preclude the Town Plan from being amended within that time frame. Mr. Hutchison believed that the Senior Center need is the greatest, and drives this decision.

Mr. Conze noted that when a Planning and Zoning Commission drafts a Town Plan, they cannot envision all of the options available to it within the next ten years. The one concern that he had was that a needs assessment of all organizations is needed and has not yet been done. They are missing a needs assessment for optimal use of Town space. The Board of Selectmen has not done this. Mrs. Riccardo agreed that a needs assessment should be done. She added that the Town Plan specifically discusses housing at 35 Leroy Avenue. Mr. Hutchison explained that a Senior Center need was also defined. Mr. Spain disagreed with Mrs. Riccardo that the Town Plan needs to be amended. Mr. Voigt suggested removing references to 35 Leroy Avenue within the Town Plan, and being more defined on potential 35 Leroy Avenue uses. He said that if the Town Plan was silent regarding re-use of 35 Leroy Avenue, he'd feel differently. Mrs. Cameron noted that years ago, the Board of Education offices were located at Cherry Lawn Park.

Due to the late hour, Mr. Conze then asked for a vote on the draft reports.

Mandatory Referral #2-2010. Board of Selectmen, 2 Renshaw Road.

Proposal to convert the Board of Education office and storage space to a Senior/Community Center.

PLANNING AND ZONING COMMISSION
MINUTES
EXECUTIVE SESSION/GENERAL MEETING
OCTOBER 20, 2010
PAGE 3

Amendments were made to the draft report prepared by Mr. Ginsberg and distributed earlier in the evening. Those amendments include the requirement for a full needs and use assessment of the spaces being occupied in any Special Permit application. Mr. Hutchison made a motion to issue the report as amended. That motion was seconded by Mr. Spain, and approved by a vote of 6-0. The issued report read as follows:

**DARIEN PLANNING AND ZONING COMMISSION
C.G.S. SECTION 8-24 MANDATORY REFERRAL REPORT
BOARD OF SELECTMEN, 2 RENSHAW ROAD
OCTOBER 20, 2010**

Mandatory Referral #2-2010. Board of Selectmen, 2 Renshaw Road.

Proposal to convert the Board of Education office and storage space to a Senior/Community Center, and the subsequent construction of a new community pool addition to that building. The existing Senior Activities Center would then be razed.

This request is part of a multi-step “shuffle”, with the Board of Education offices now at 2 Renshaw Road to move to the former Darien Library property at 35 Leroy Avenue. A related referral report has been issued separately on that. Other uses now in Town Hall such as the Probate Court could also be part of such a relocation from 2 Renshaw to 35 Leroy Avenue. The next step would be to renovate the space vacated by the Board of Education into a new Senior/Community Center. Subsequent to that, the existing Senior Activities Center on Edgerton Street would be razed. Also included in this process is the possibility of constructing a new community pool addition to the Town Hall building.

The 2006 Town Plan of Conservation & Development is clear that a decision needs to be made regarding the status of the existing Senior Activities Center on Edgerton Street. The proposed move of the Senior Activities Center, which would then become a Senior/Community Center, to the site at 2 Renshaw Road would be made possible via a move of the existing Board of Education offices to 35 Leroy Avenue.

Pages within the Town Plan which reference the Senior Center and/or Community Center include pages 7-2, 7-3, A7-11, 9-2, 9-3. Applicable excerpts are included as follows:

Page 7-2 Policies: To ensure that space needs and the need for community services are adequately met for the planning period. This may include: upgrading or renovating existing buildings; adding on to existing buildings to meet demonstrated needs; and/or constructing entirely new buildings where appropriate.

To maintain the Senior Activities Center in its existing building, or establish a permanent alternative site.

Page 7-3 Recommendations:

PLANNING AND ZONING COMMISSION
MINUTES
EXECUTIVE SESSION/GENERAL MEETING
OCTOBER 20, 2010
PAGE 4

As noted in Appendix A7, a number of other facilities are in need of replacement, renovation and/or expansion over the next ten years, including the Police Station, Darien Library, one or more of the Fire Stations, the Town Garage, and Town Hall. With this in mind, the following are recommended:

Encourage a comprehensive analysis of the space needs at Town Hall. Grants should continue to be pursued to offset the costs of improving this facility.

Consider the purchase or lease of the present Darien Library property as it plans its move to a new site.

Study the existing Senior Center facility, and make a determination on how to proceed—whether to continue repairing and renovating the existing building, or whether to consider alternate locations for a new Senior Center. The Appendix lists some of the repairs that are needed to the existing building.

Page A7-11:

Issues

Townpeople who are 62 years of age or older use the center for lunchtime dining, entertainment, charitable work, skill classes, and various forms of recreation. The dining facilities alone are oftentimes used at their full capacity of approximately 120 persons. The seniors also use the facilities to undertake contributions to the community such as repairing furniture for Person-to-Person, carrying out major mailings for local charitable agencies and producing items for charitable events. By all measures, the Senior Center has proved to be extremely successful.

An important policy decision facing the Town is whether to maintain this facility at its current location or establish an alternative site.

Issues

Significant repair work needs to be done to the Senior Center. A decision needs to be made as to:

- *Whether to repair the building little-by-little;*
- *Whether to perform substantial renovations all at once;*
- *Whether to demolish the existing building and construct a new Senior Center—either in generally the same location, or elsewhere within the community.*

Page 9-2:Policies

- *Continue careful monitoring of Special Use Permits to minimize impact on surrounding single family neighborhoods.*

Page 9-3

Recommendations:

- *The existing Darien Library is located in a residential zone. In the event of the Library's moving, efforts should be made to rezone this property to allow condominiums.*
- *The Town should continue exploring possible locations for a community center/community pool facility.*

PLANNING AND ZONING COMMISSION
MINUTES
EXECUTIVE SESSION/GENERAL MEETING
OCTOBER 20, 2010
PAGE 5

COMMISSION'S FINDING:

The Commission finds that this proposal is consistent with the 2006 Town Plan of Conservation & Development. Future details regarding the location of a Senior Center/Community Center at 2 Renshaw Road will be reviewed by the Planning and Zoning Commission as part of a subsequent required Special Permit application process. This review will cover many issues, including, but not limited to, hours of operation, schedules and programs, and related issues such as traffic and parking. At such time as a community pool proposal does materialize, scrutiny will be given to that as well. Any application will require a full needs and use assessment of the spaces being occupied.

Mandatory Referral #3-2010. Board of Selectmen, 35 Leroy Avenue.

Proposal to convert the former Darien Library building at 35 Leroy Avenue to the Board of Education offices and other possible uses including office space for municipal functions and/or program space for the Darien Arts Center.

Mr. Conze suggested including a sentence at the end of the draft report. Other comments were also incorporated. Mrs. Cameron then made a motion to issue the report as amended. That motion was seconded by Mr. Spain, and was approved by a vote of 4-2, with Mr. Voigt and Mrs. Riccardo voting against the report, because they do not agree that the referral is consistent with the 2006 Town Plan of Conservation & Development, as currently written. They believed the Plan should be amended. The issued report read as follows:

**DARIEN PLANNING AND ZONING COMMISSION
C.G.S. SECTION 8-24 MANDATORY REFERRAL REPORT
BOARD OF SELECTMEN, 35 LEROY AVENUE
OCTOBER 20, 2010**

Mandatory Referral #3-2010. Board of Selectmen, 35 Leroy Avenue.

Proposal to convert the former Darien Library building at 35 Leroy Avenue to the Board of Education offices and other possible uses including office space for municipal functions and/or program space for the Darien Arts Center.

As noted within a September 27, 2010 memo from First Selectman David Campbell, the Board of Education offices, which are now located at 2 Renshaw Road, are proposed to move into the former Darien Library building at 35 Leroy Avenue. Other uses now in Town Hall such as the Probate Court, Youth Options, the Darien Housing Authority, and other office space for municipal functions, and/or program space for the Darien Arts Center could also be part of such a relocation from 2 Renshaw Road to 35 Leroy Avenue.

The "shuffle" would be a multi-step process. Once all local approvals are obtained, permits would be needed to renovate the former Darien Library building at 35 Leroy Avenue into new space for the Board of Education offices and such other uses currently housed at Town Hall as the Probate Court, office space for other municipal functions, and/or program space for the Darien Arts Center. Once this is complete, the next step would be to renovate the space vacated by the Board of

PLANNING AND ZONING COMMISSION
MINUTES
EXECUTIVE SESSION/GENERAL MEETING
OCTOBER 20, 2010
PAGE 6

Education into a new Senior/Community Center at Town Hall. When the Senior/Community Center at Town Hall is complete, the existing Senior Activities Center on Edgerton Street would be razed.

Also included in this process is the possibility of constructing a new community pool addition to the Town Hall building. A related referral report has been issued separately on that part of the “shuffle”.

Re-use of the Darien Library building is specifically mentioned in the 2006 Town Plan of Conservation & Development. In Chapter 7 on page 7-2, it notes that space needs for community services need to be met. One method mentioned is by upgrading or renovating buildings. Also pertinent is Page 7-3 Recommendations, portions of which are presented here in italics:

As noted in Appendix A7, a number of other facilities are in need of replacement, renovation and/or expansion over the next ten years, including the Police Station, Darien Library, one or more of the Fire Stations, the Town Garage, and Town Hall. With this in mind, the following are recommended:

Encourage a comprehensive analysis of the space needs at Town Hall. Grants should continue to be pursued to offset the costs of improving this facility.

Consider the purchase or lease of the present Darien Library property as it plans its move to a new site.

On page 9-3 and page A7-9, the Town Plan specifically acknowledges potential re-use of the Darien Library building at 35 Leroy Avenue. Page 9-3 notes that “...efforts should be made to rezone this property to allow condominiums.” Page A7-9 notes that “The reuse of this building could be used for providing for the expansion and needs of other current public facilities and services outlined within this Chapter, or other needs, as noted elsewhere within this document.” Elsewhere in the Town Plan document it states the need to establish a permanent alternative site for the Senior Activities Center. It also states the need to explore possible locations for a community center/community pool facility. Relocation of the Board of Education offices would facilitate these.

COMMISSION’S FINDING:

The Commission finds that although the subject proposal does not involve rezoning the 35 Leroy Avenue property for condominiums which was one option, the subject proposal is consistent with the 2006 Town Plan of Conservation & Development because it does provide for expansion and needs of other public facilities and services. Future details of the move to 35 Leroy Avenue will be reviewed by the Planning and Zoning Commission as part of a subsequent formal required Special Permit application process. This review will cover many issues, including, but not limited to: hours of operation, schedule and programs, and related issues such as traffic and parking.

The Commission finds that the 2006 Town Plan of Conservation & Development indicates that 35 Leroy Avenue could be used for condominiums or housing. It also indicates on page A7-9 of the Town Plan that 35 Leroy Avenue could be used for providing for the expansion and needs of other

PLANNING AND ZONING COMMISSION
MINUTES
EXECUTIVE SESSION/GENERAL MEETING
OCTOBER 20, 2010
PAGE 7

current public facilities if the Town purchases it, which it did. Any application will require a full needs and use assessment of the spaces being occupied.

Commission members then discussed the cover letter which Mr. Ginsberg would be sending with each of the reports.

Approval of Minutes

September 28, 2010 Public Hearing/General Meeting

Due to the later hour, and the fact that the draft minutes were not ready, this item was tabled until October 26.

This being a Special Meeting, no other business could be considered. The meeting was then adjourned at 11:05 p.m.

Respectfully submitted,

Jeremy B. Ginsberg
Planning & Zoning Director

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